Summary Impact Analysis Statement

Details

Lead department	Department of Families, Seniors, Disability Services and Child Safety
Name of the proposal	Child Safe Organisations (Sector Regulators and Other Matters) Amendment Regulation 2026
Submission type	Summary IAS
Title of related legislative or regulatory instrument	Child Safe Organisations Regulation 2025
Date of issue	June 2026

What is the nature, size and scope of the problem? What are the objectives of government action?

Following a five-year inquiry, the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) recommended state and territory governments:

- require relevant organisations comply with 10 child safe standards (CSS) as a best-practice approach to keeping children safe (recommendation 6.8, Final Report Volume 6); and
- establish nationally consistent reportable conduct schemes (RCS) to provide independent oversight across sectors of organisational responses to allegations of child sexual abuse (recommendation 7.9, Final Report Volume 7).

The *Child Safe Organisations Act 2024* (the Act), which received assent on 19 September 2024, responds to these recommendations by establishing a child safe organisations (CSO) framework for Queensland comprising:

- mandatory implementation and compliance with 10 CSS and a Universal Principle for cultural safety for Aboriginal and Torres Strait Islander children by child safe entities;
- a nationally consistent RCS that requires heads of reporting entities to report and investigate misconduct and abuse involving children by workers; and
- the Queensland Family and Child Commission (Commission) as the independent oversight body responsible for overseeing the CSO system.

Collaborative regulation and the role of sector regulators

Organisations working with children are already subject to a range of existing regulatory obligations. During development of the CSO system for Queensland, stakeholders strongly supported the CSS and RCS as important strategies to keep children safe but urged that efforts be made to streamline regulation and avoid duplication.

Collaborative regulation means the Commission will work with existing regulators to oversee reporting entities' responses to child abuse complaints and allegations under the RCS and ensure reporting entities' compliance with their RCS obligations.

The Act does not change the existing regulatory functions of sector regulators or require them to expand the scope of their current regulatory responsibilities. Instead, it enables sector regulators to collaborate with the Commission, contributing specialist knowledge and skills to support investigations and compliance activities.

To reflect this collaborative regulatory approach, the Act provides the following functions for the Commission in administering the RCS:

- facilitating the appropriate exchange of information under chapter 4 (RCS) (section 40(b));
- educating and providing advice to the public, sector regulators and reporting entities in relation to the RCS and ways to prevent reportable conduct (section 40(c)); and
- facilitating cooperation between the public, reporting entities, sector regulators and other entities in relation to the conduct of investigations of reportable allegations and reportable convictions (section 40(d)).

The Act also provides principles for administering the RCS including that:

- sector regulators have the expertise, knowledge and skills in relation to the entities they regulate and, if their functions permit, can make an important contribution to investigations of reportable allegations and reportable convictions (section 25(3)(e));
- the Commission and sector regulators should work collaboratively and reduce duplication to the extent possible (section 25(3)(f)); and
- information should be shared between the Commission, sector regulators and reporting entities in a timely way in relation to reportable allegations and reportable convictions in order to minimise the risk of harm to children (section 25(3)(g)).

Under the Act, a broad enabling information sharing framework is established to allow information to be shared between prescribed RCS entities such as the Commission, a sector regulator, a reporting entity, a government department, the police (in Queensland, other states and territories and the Commonwealth), and select independent oversight bodies, such as the Queensland Ombudsman.

The information sharing provisions allow these entities to share relevant information regarding the progress, findings, reasons and action taken in relation to an investigation of a reportable allegation or reportable conviction (section 49). This enables information sharing across multiple sectors and organisations to identify and respond to risks to the safety and wellbeing of children in Queensland organisations. For example, where a worker subject to a reportable allegation is engaged with multiple employers (and where there may be multiple reporting entities), the information sharing framework enables findings of reportable conduct to be shared with sector regulators for the purposes of their regulatory frameworks, such as considering an individual worker's professional registration.

Relevant information may only be disclosed for specified purposes (section 49(2)). These purposes include to lessen or prevent a serious risk or threat to the life, health or safety of a child, to allow police to investigate criminal conduct, and to enable the Commission to perform its RCS functions.

Under the Act, the head of a reporting entity is required to investigate a reportable allegation or reportable conviction and notify the Commission the investigation is being conducted by providing an initial report within three business days of becoming aware of the reportable allegation or reportable conviction, and an interim report (or final report if available) within 30 days (section 34). This informs the Commission's cross-sectoral oversight of how institutions are responding to reports, issues with compliance, and whether a reporting entity requires further assistance to comply with the RCS.

As there may be circumstances where a reporting entity is unable or unwilling to investigate a reportable allegation or reportable conviction, the Act allows the Commission to request a sector regulator conduct the investigation (section 42). This request can only be made if the sector regulator has the necessary functions and powers in relation to the reporting entity to investigate the reportable allegation or reportable conviction. The sector regulator may agree or refuse the request.

Personal identification numbers

Section 35(1) sets out the information that must be included in an initial report such as the details of the reportable allegation or reportable conviction; the identification details of the worker (for example, name and date of birth); whether a sector regulator, or police, has been contacted regarding the matter; any action taken, including interim risk management action; and any other matter prescribed by regulation.

The initial report relies on basic identifying information such as the name and date of birth to accurately identify the person subject to the reportable allegation or reportable conviction.

Identifying the problem – enabling collaborative regulation and information sharing

The RCS provides independent oversight of institutional responses to allegations of misconduct or abuse involving children and focuses on worker conduct, prescribing actions that must be taken by the head of an organisation to ensure allegations of reportable conduct are properly investigated and responded to.

The RCS applies to organisations that care for, supervise or exercise authority over children, whether as a primary function or otherwise (section 29). It is estimated that 10,000 Queensland organisations are within scope of the RCS across sectors including education, early childhood education and care, child protection, health, services for children with disability and religious bodies.

To support the Act's collaborative regulatory model, the *Child Safe Organisations Regulation 2025* (the Regulation) was developed to prescribe sector regulators for child safe entities (for the purposes of the CSS). To support effective operation of the RCS, it is necessary to prescribe sector regulators for reporting entities. This amendment will clarify which sector regulators are enabled to collaborate with the Commission and facilitate the exchange of information necessary to appropriately respond to reportable allegations and reportable convictions and protect children from harm.

A sector regulator under section 6 of the Act is defined as:

- a department or other entity (excluding the Commission) that is responsible for regulating a reporting entity and is prescribed by regulation (section 6(a));
- a department that provides funding to a reporting entity listed under Schedule 2 of the Act (section 6(b)); and
- any other entity prescribed by regulation (section 6(c)).

To best achieve the purposes of the Act it is necessary to prescribe existing regulators as sector regulators in accordance with section 6(a) of the Act.

Identifying the problem – identity matching

There is a risk relying on basic identifying information alone (i.e. name and date of birth) may lead to the misidentification of a person subject of a reportable allegation or a reportable conviction, for example, where there is inconsistent or incomplete data entry, a common name or variations in spelling, or changes in personal details over time.

Misidentification may also reduce the effectiveness and timeliness in information exchange between prescribed RCS entities if a person subject of a reportable allegation or reportable conviction cannot be easily and accurately identified. This increases the risk of duplication of records and impacts the ability of the QFCC to provide cross-sectoral oversight under the RCS.

Accurate identity matching is critical to avoid the potentially serious consequences of misidentification. Consequences include allowing a person subject to a reportable allegation or reportable conviction to continue to pose a risk to children and causing reputational and personal harm should a third party be mistakenly identified. It may also cause inefficiency in the operation of the RCS, potentially resulting in further trauma to children and families should investigations be delayed or children re-interviewed, and impacting overall community confidence in the effectiveness of the RCS.

The inclusion of a personal identification number in an initial report of a reportable allegation or reportable conviction will reduce the risk that a person subject of the reportable allegation or reportable conviction is misidentified. The requirement to provide personal identification numbers is limited to those given to the reporting entity in connection with the worker performing work for the reporting entity; and are in the reporting entity's possession when the initial report is prepared. This provision does not impose an additional regulatory burden on reporting entities to hold personal identification numbers for the purpose of the RCS longer that is permitted by other laws; obtain personal identification numbers not known to them;

or access personal identification numbers gained through other functions of the reporting entity, such as a Medicare number if a worker of a health entity is also receiving health services from the entity as a patient.

The disclosure of personal identification numbers will be in accordance with the information sharing and confidentiality obligations in the Act.

Objectives of Government Action:

The objective of government action in prescribing sector regulators for reporting entities is to:

- support the collaborative regulatory model established by the Act;
- enable the exchange of information sharing for the purpose of the RCS under the Act; and
- support the Commission in performing its functions under the Act.

These outcomes are expected to support the safety and wellbeing of children in organisations by providing a new level of cross-sectoral oversight of how organisations prevent risks to children and handle allegations of child abuse by workers.

The objective of government action in requiring the head of a reporting entity to include in its initial report any personal identification numbers is to support the proactive and timely of exchange of information under the Act. This will reduce the risk that people subject to a reportable allegation or reportable conviction are misidentified, contributing to the efficient operation of the RCS.

What options were considered?

Option 1: Maintain the status quo

The Queensland Government maintains the status quo, amendments to the Regulation would not prescribe sector regulators for reporting entities, and these regulators would not be enabled to share relevant information for the purposes of the RCS.

This option would also not require personal identification numbers to be provided in an initial report to the Commission, potentially leading to misidentification of a person subject to a reportable allegation or a reportable conviction, resulting in situations where a worker may continue to pose a risk to children or where the reputation of an unrelated third party is damaged.

Option 2: Prescribe sector regulators and require personal identification numbers for initial reports by Regulation (preferred option)

Option 2 includes prescribing:

- A department or other entity that is responsible for regulating a reporting entity as a sector regulator in accordance with section 6(a) of the Act, to provide clarity about which regulators may collaborate and share information with the Commission for the purposes of the RCS.
- The inclusion of personal identification numbers in an initial report provided to the RCS where the head of a reporting entity becomes aware of a reportable allegation or reportable conviction.

Within Option 2, there are options to prescribe a wider or narrower range of regulators as sector regulators. Limiting the scope of prescribed regulators was not formally considered as not prescribing the full breadth of existing state-based regulators across in-scope sectors would not meet the intent of information sharing under the Act, i.e. to address gaps in current processes to identify risks. It would also compromise the broader purposes of the Act to protect children from harm and promote their safety, wellbeing and best interests.

Option 2 provides the best opportunity for the Commission, regulators and reporting entities to accurately identify a person subject of a reportable allegation or conviction efficiently and with minimal additional regulatory burden.

What are the impacts?

Sector regulators

Departments that fund reporting entities are captured within the definition of a sector regulator under the Act (section 6(b)). All other sector regulators need to be prescribed by regulation, which is intended to provide the ability to more easily add, update or remove regulators to reflect changes in relevant regulatory environments.

Eleven sector regulators have been identified for reporting entities including the Department of Education, the Department of Justice, the Department of Families, Seniors, Disability Services and Child Safety, the Department of Health, the Department of Housing and Public Works, the Non-State Schools Accreditation Board, the Queensland Early Childhood Regulatory Authority, the Queensland College of Teachers, Queensland Health, the Office of Health Ombudsman and the Queensland State Regulatory System for Community Housing. These sector regulators have existing regulatory relationships with reporting entities and prescribing them by regulation does not broaden their responsibilities or the range of entities they regulate. Instead, it reinforces their role in supporting child safety and wellbeing through existing regulatory functions and through collaborative CSO regulation with the Commission.

Under the information sharing framework in section 49 of the Act, only 'prescribed RCS entities' may share relevant information. For the purpose of section 49, 'prescribed RCS entities' include a prescribed sector regulator for a reporting entity. Prescribing existing regulators as sector regulators will authorise the disclosure of information to other prescribed RCS entities including: the Commission, a department, the Public Sector Commission under the *Public Sector Act 2022*, the inspector of detention services under the *Inspector of Detention Services Act 2022*, the Officer of the Ombudsman established under the *Ombudsman Act 2001* and other entities prescribed by regulation.

The head of a prescribed RCS entity may disclose relevant information to the head of another prescribed RCS entity for the following purposes (section 49(2):

- to lessen or prevent a serious risk or threat to the life, health or safety of a child or class of children;
- to enable the police commissioner (or equivalent in other jurisdictions) to investigate criminal conduct;
- for the Commission to perform its functions under Chapter 3 of the Act (RCS);
- for the receiving entity to investigate a reportable allegation or reportable conviction;
- for a reporting entity or sector regulator to take appropriate action in relation to a finding that reportable conduct has been engaged in by a worker of the reporting entity;
- for a receiving entity other than a reporting entity whose worker is the subject of the reportable allegation or reportable conviction, if it is for the performance of a function by the receiving entity under an Act that relates to the protection of children from harm; or
- for another purpose necessary for the effective administration of the RCS prescribed by regulation.

Under the Act, the Commission may enter into a written arrangement about sharing or exchanging information with a prescribed reporting entity. This arrangement may include, for example, a memorandum of understanding that specifies what and how information may be shared, when it is appropriate to share information, or any other requirements for management of the information. The use of the information sharing powers conferred on prescribed reporting entities, including sector regulators, is discretionary. The Act does not require sector regulators to share information with other prescribed RCS entities for the purpose of the RCS, and sector regulators can determine when and how it is appropriate to exercise these powers guided by the purposes under section 49(2), whether the receiving entity has requested the information or not.

The information sharing framework under the Act does not limit or otherwise impact existing reporting mechanisms in Queensland. Where risk of harm to a child is identified, individuals in certain professions remain subject to mandatory reporting requirements under the *Child Protection Act 1999*. Additionally, the *Criminal Code Act 1899* (Criminal Code) includes offences for failing to report child sexual abuse or failing to protect a child from institutional child sexual abuse. Under the failure to report offence (s229BC of the Criminal Code) all adults are required to report to the Queensland Police Service if they believe a child sexual offence has occurred. The Act also requires that if an entity responsible for investigating a reportable allegation under the RCS (which may include a sector regulator upon request) is aware that the alleged conduct may involve criminal conduct, they must notify a police officer as soon as practicable (section 46).

As the RCS leverages existing regulatory functions and the enabled information sharing is discretionary, the impact of the Regulation on sector regulators is not expected to be significant. While information may be shared with any prescribed RCS entity under the Act, in practice it is expected that sector regulators would generally need to share information with the Commission and relevant reporting entities in their sector.

It is anticipated the Commission will be the entity most commonly receiving information from sector regulators and other prescribed RCS entities. For the Commission and prescribed RCS entities receiving information from sector regulators, any action required to be taken to address the concerns reported would be consistent with existing responsibilities under the Act or other regulatory frameworks. The associated compliance costs relating to compliance with the RCS have been assessed through the *Growing Child Safe Organisations in Queensland: Consultation Regulatory Impact Statement*, and the Commission has been funded to support its functions under the Act.

Personal identification numbers

The impact of prescribing a requirement to include a personal identification number in an initial report to the Commission is expected to be minimal. The Amendment Regulation includes examples of personal identification numbers to provide additional guidance to reporting entities and limit the unnecessary collection of personal information, reducing administrative requirements. Many reporting entities will already have this information, for example, under section 369 of the *Working with Children Check Act 2000*, employers must keep a register of employees including each employee's working with children check reference number. In addition, the proposed requirement only applies where the personal identification number is in the possession of the reporting entity, further reducing regulatory burden should a reporting entity not have that information.

It is not possible to estimate the volume of personal identification numbers which will be included on an initial report by a reporting entity, or how frequently this number will be shared with other prescribed RCS entities with any accuracy. During development of the RCS model, Finity Consulting estimated a Queensland RCS may receive approximately 1,200 reportable allegations each year. Since this estimate in 2021, RCSs in other jurisdictions have experienced a significant increase in demand which is also likely to be reflected in the Queensland context.

In addition, since 2021, significant work has been undertaken in Queensland to implement the RCS including consideration of the threshold for a reportable allegation. It is not possible to determine if Queensland's threshold aligns with the benchmarks used in the 2021 modelling or the threshold operationalised in other jurisdictions (i.e. if Queensland will have more or fewer reportable allegations compared to other jurisdictions). Regardless, including personal identification numbers is not expected to be administratively onerous given they will only be required to be provided where available and already in the possession of the reporting entity.

Who was consulted?

The *Growing Child Safe Organisations in Queensland: Consultation Regulatory Impact Statement* was released on 10 August 2023, with public consultation closing on 22 September 2023. The outcomes of this consultation process were published in the *Growing Child Safe Organisations in Queensland: Decision Impact Analysis Statement*.

While the Consultation Regulatory Impact Statement did not seek stakeholder feedback on the approach to prescribing sector regulators specifically, the outcomes of this consultation included the following outcomes of relevance to the intent of this Amendment Regulation:

- Stakeholders broadly supported the collaborative regulatory model that established the Commission as the independent oversight body working in collaboration with sector regulators and reporting entities. This approach was seen as effective for education and capacity building.
- Stakeholders viewed information sharing as critical to preventing harm to children, enabling more timely identification of risks.
- Sector regulators were recognised for their expertise and role in supporting organisations, but stakeholders emphasised that regulators should not be burdened with new mandatory information sharing or reporting obligations under the Act.
- The discretionary nature of information sharing was welcomed, reducing concerns about compliance costs.

Consultation to identify sector regulators and consultation on a draft regulation was undertaken with the Commission and impacted Queensland Government agencies from February 2026 to June 2026.

During consultation on the Amendment Regulation, the Commission identified the need for an initial report to also include, where possible, personal identification numbers to support the accurate identification of individuals subject to a reportable allegation or conviction. The June 2026 consultation process with Queensland Government agencies also included consultation on prescribing the inclusion of personal identification numbers in an initial report.

What is the recommended option and why?

The recommended option is Option 2: *Prescribe sector regulators and require personal identification numbers for initial reports by Regulation.*

The prescription of sector regulators for reporting entities will:

- support the collaborative regulatory model established by the Act;
- enable information sharing provisions to operate as intended under the Act; and
- support the Commission's legislative functions under section 40 of the Act.

Prescribing personal identification numbers for initial reports will provide the best opportunity for the Commission, sector regulators and reporting entities to ensure the accuracy of the identity of a person subject of a reportable allegation or reportable conviction. While imposing minimal additional regulatory burden, providing personal identification numbers will reduce the risk of misidentification and avoid potentially serious consequences of a worker continuing to pose a risk to children or damaging the reputation of a third party.

As the Act established a new regulatory scheme, a statutory review of its effectiveness will be required as soon as practicable after 1 July 2029. This review would present an opportunity to consider the effectiveness of the information sharing framework under the Act and the information provided to the Commission in reports from reporting entities, alongside other considerations to ensure the Act is effectively meeting its intended purpose and objectives.

The Commission will also be required to include in its annual report information about the performance of its RCS functions under the Act. These reporting mechanisms allow the Commission to report on the operation of the CSO system and could include observations on how the information sharing framework established under the Act is operating in practice.

Impact assessment

	First full year	First 10 years**
Direct costs – *Compliance costs**	**$0**	$0
Direct costs – *Government costs*	**$0**	$0

Signed

Belinda Drew

Director-General

Department of Families, Seniors, Disability Services and Child Safety

Date: 15/06/2026

The Honourable Amanda Camm MP

Minister for Families, Seniors and Disability Services and Minister for Child Safety and the Prevention of Domestic and Family Violence

Date: 15/6/2026