Australian Government | acma Australian Communications and Media Authority

Australian Government | eSafety Commissioner

Authorising officer
Chair and Agency Head

Contact officer
Manager, Wellbeing and Workplace Relations

Date
October 2026

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October 2027
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October 2028

Child safety policy

This policy applies to all workers of the ACMA and eSafety.

Chair and Commissioner's message

The Australian Communications and Media Authority (ACMA) and the eSafety Commissioner (eSafety) are committed to keeping children and young people free from abuse or harm and ensuring our interactions with them uphold their rights. Part of our remit is to help safeguard all Australians, including children and young people, from abuse or harm that may occur across the communications and media environments for which the ACMA and eSafety have regulatory responsibility.

In response to recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, the Australian Government developed the Commonwealth Child Safe Framework (Framework) which all Australian Government agencies must comply with.

Our Child Safety Policy is a key part of the processes we have in place to ensure our compliance with the Framework. It also supports our international responsibilities under the United Nations Convention on the Rights of the Child.

Children and young people, their families, communities and members of the public, should feel confident that the ACMA and eSafety, when working with children and young people, will provide a safe environment in which their rights, needs and best interests are upheld.

Nerida O'Loughlin PSM
Chair and Agency Head
Australian Communications
and Media Authority

Julie Inman Grant
Commissioner
eSafety Commissioner

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Document history

Version	Date	Description	Approved
1.0	14 January 2021	New policy	ACMA Chair and Agency Head
1.1	25 May 2022	Minor updates	Executive Manager, Human Resources and Communications Branch
2.0	24 October 2025	Formal Review	ACMA Chair and Agency Head
2.1	31 August 2026	Annual Review	Child Safety Champions

Change control

The Human Resources and Communication Branch is responsible for maintaining and updating this document.

1 Introduction

1.1 About this policy

1.1.1 This policy has been developed to give effect to the Commonwealth Child Safe Framework (Framework) which includes the National Principles for Child Safe Organisations (Principles).

1.1.2 This policy informs workers of their obligations to act legally and ethically in the best interests of children and young people and to protect their safety.

1.1.3 Part of eSafety's role is to provide education and specialist services to children and young people to prevent and address online harms, such as cyberbullying and image-based abuse. Given the nature of this work, some eSafety workers, who have interactions with children, may be considered mandatory reporters under state and territory child protection laws.

1.1.4 To address the specialist nature of eSafety's work, Child Safety Reporting Procedures have been issued that outline reporting requirements.

1.2 Complying with this policy

1.2.1 All workers of the ACMA and eSafety must comply with this policy.

1.2.2 A worker includes any person who works, in any capacity, in or as part of the business of the ACMA or eSafety including:

1.2.2.1 ACMA Authority Members and the eSafety Commissioner

1.2.2.2 APS employees

1.2.2.3 an independent contractor, subcontractor (or their employee) and grantees

1.2.2.4 an employee of a labour hire company

1.2.2.5 an apprentice or trainee

1.2.2.6 a student gaining work experience

1.2.2.7 a volunteer.

1.2.3 Where the term employee is used in this document it refers to an employee of the ACMA or eSafety engaged under the *Public Service Act 1999.*

1.3 Legislative framework

1.3.1 Commonwealth Child Safe Framework (including the National Principles for Child Safe Organisations)

1.3.2 *Online Safety Act 2021*

1.3.3 *Public Service Act 1999*

1.3.4 *Privacy Act 1988*

1.3.5 *Australian Human Rights Commission Act 1986*

1.3.6 *Crimes Act 1914*

1.3.7 *Criminal Code Act 1995*

1.3.8 *Family Law Act 1975*

1.3.9 Child safety legislation by state/territory.

1.4 Related Documents

1.4.1 Child Safety Reporting Procedures

1.4.2 Risk Management Framework

1.4.3 Acceptable Use of Information and Communications Technology Resources Policy

1.4.4 Information and Records Framework

2. Principles

2.1 The key principles of this policy are:

2.1.1 building and embedding a child safe culture

2.1.2 maintaining zero tolerance for the abuse of, or harm to, children and young people

2.1.3 recognising the rights of children and young people and ensuring their best interests are a primary consideration

2.1.4 promoting the empowerment and participation of children and young people in connection with our services

2.1.5 using a risk management approach to prevent abuse or harm to children and young people

2.1.6 reporting and responding to all concerns of abuse or harm using fair and proper procedures.

2.2 This policy does not override child protection legislation or the law of the Commonwealth or any state or territory.

3. Roles and Responsibilities

3.1 Employees responsibilities

3.1.1 Keep details up to date: Employees are responsible for applying for, renewing, and updating their personal details on their WWCC application or clearance.

3.1.2 Avoid working while barred: Employees must not engage in child-related work if their WWCC has expired, been suspended, or been cancelled.

3.1.3 Notify the employer: Employees must immediately notify their employer of any change to their WWCC status or if their personal details change.

3.2 Employer responsibilities

3.2.1 Mandatory verification: Employers are legally required to verify an employee's WWCC clearance number via their state's official portal (such as the Office of the Children's Guardian) before the employee begins child-related work.

3.2.2 Record keeping: Employers must maintain secure, confidential records of all WWCC clearances, including full names, dates of birth, WWCC numbers, and verification dates.

3.2.3 Monitoring and auditing: Employers must ensure the ongoing validity of the clearances for their staff and keep internal systems in place to prevent lapsed checks.

4. Culturally safe environment

4.1.1 The ACMA and eSafety acknowledge the importance of establishing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal and Torres Strait Islander children and young people are respected and valued.

4.1.2 Cultural safety for Aboriginal and Torres Strait Islander children and young people includes providing a safe, nurturing and positive environment where Aboriginal and Torres Strait Islander children and young people:

4.1.2.1 feel comfortable being themselves

4.1.2.2 feel comfortable expressing their culture, including their spiritual and belief systems

4.1.2.3 are supported by individuals who respect their Aboriginality and encourage their sense of self and identity.

4.1.3 Keeping Our Kids Safe: Cultural Safety and the National Principles for Child Safe Organisations provides information for workers who are required to engage with children and their families from Aboriginal and Torres Strait Islander communities.

4.1.4 When interacting with children and young people from culturally and linguistically diverse backgrounds, workers need to recognise and value the specific needs of the child or young person and to determine how best to support them to engage across cultural and language differences.

5. Risk management

5.1 Risk assessments

5.1.1 The relevant business area will undertake risk management assessments for any function or activity that may involve contact with children or young people. All risk management assessments will address the level of child safety risks and how risks are mitigated and managed if they arise. For support on completing a child safety risk assessment, contact the eSafety Governance, Planning and Risk team.

5.1.2 Child Safety Champions together with the ACMA's Corporate and Research Division and the Child Safety Working Group, will coordinate an annual risk

assessment process. Oversight will be provided by the ACMA Audit and Risk Committee and the eSafety Risk and Compliance Committee.

5.1.3 Further detail on risk management processes can be found in the Risk Management Framework.

5.2 Working with our providers

5.2.1 All providers who deliver services involving children and young people (i.e. consultants, advisors, sub-contractors, and grant recipients) must:

5.2.1.1 undertake their own risk assessment of each funded activity to ensure they identify and manage any risks to children (including the requirements for working with children checks) and young people appropriately and in a manner consistent with this policy - this should be incorporated into existing planning and risk management practices of the provider

5.2.1.2 ensure all workers who work with children and young people are trained in child safety and understand their obligation to protect children and young people when carrying out their work

5.2.1.3 have clear internal reporting mechanisms or procedures for their workers to report child safety concerns as part of contractual requirements.

5.3 Grants and procurement procedures

5.3.1 Workers must consider the requirements of the Framework and ensure all projects or activities comply with the child safety clauses outlined in the Commonwealth Grants Toolkit. This is particularly relevant if the project/service is for direct services to children or young people and/or for activities that involve contact with children or young people that is a usual part of, and more than incidental to, the funded activity. Relevant contracts should also include a requirement to comply with this policy.

5.3.2 Additional information is available in the Procurement Framework.

6. Position Management

6.1 Position management and recruitment

6.1.1 All positions that involve contact with children or young people have been identified. Workers occupying such positions will be required to complete a Working with Children Check and a Child Safe Code of Conduct declaration.

6.1.2 All new positions will be assessed for any child safety requirements at the time of their creation. Further information for managers on identifying positions that require a WWCC is available in Human Resources Factsheet: Identification of position requiring Working with Children Checks

6.1.3 An annual audit of eSafety positions will be undertaken to ensure all positions requiring a working with children check are appropriately identified.

6.1.4 Recruitment, selection and pre-employment screening processes will emphasise child safety requirements where relevant.

6.2 Training and performance management

6.2.1 All employees and labour hire contractors who undertake duties that involve contact with children or young people must:

6.2.1.1 complete mandatory training on child safety-related matters including any additional training identified as relevant to the employee's position

6.2.1.2 familiarise themselves with this policy and related information

6.2.1.3 have a performance and development plan in place which includes behaviours and measures that directly reflect their obligations under this

6.3 Children in the office

6.3.1 Workers who bring their dependants to an ACMA office, are responsible for their care, supervision, safety and security at all times. Responsibilities relating to the use of a carers room is located on the Hub.

7. Working with Children Check

7.1.1 All workers who work in identified child safety roles are required to hold and maintain a Working with Children Check or equivalent (WWCC) in the state in which they usually work. It is noted that:

7.1.1.1 there are no legislative requirements for workers to hold a WWCC - this requirement has been introduced as one of our child safe risk management strategies.

7.1.1.2 there is no requirement to hold multiple WWCC across different states, the threshold is workers need to hold a WWCC in the state where they usually work.

7.1.2 Where a worker fails to obtain or maintain the required WWCC, their contract or funding may be withdrawn in accordance with the terms of the contract or funding grant.

7.1.3 Where an employee fails to obtain or maintain a current WWCC they may be reassigned to a different role or their employment may be terminated.

7.1.4 WWCC for employees and labour hire contractors will be funded by the business area.

7.1.5 Employees and labour hire contractors are required to upload a copy of their current WWCC in ESS.

7.1.6 Information on WWCC and the application process by state and territory is available at State and territory working with children checks websites.

7.1.7 Employees and labour hire contractors must formally agree through ESS to comply with the Child Safe Code of Conduct where it has been identified that their role will involve contact with children or young people.

7.1.8 The Child Safe Code of Conduct declaration must be completed in ESS prior to the employee or labour hire contractor commencing in a role that is identified as working with children or young people or at any other time where requested.

8. Reporting requirements

8.1.1 Each Australian state and territory has its own mandatory reporting requirements in relation to child abuse and neglect, with some having legislation that requires all adults within their jurisdiction to report suspected abuse or harm to children or young people.

8.1.2 Workers (and their managers/supervisors) who undertake work involving children or young people must be familiar with the specific mandatory reporting requirements in the state or territory in which they undertake their work and comply with those legislative requirements.

8.1.3 Workers who are mandatory reporters as defined under the relevant legislation must report suspected abuse or harm to children or young people to the child protection authority in the state or territory in which the child is located at the time it occurred. This procedure is to be followed even if the jurisdiction the worker is in is different to the location of the child or young person. All states and territories have protocols for managing reports across jurisdictions if necessary.

8.1.4 All workers who are mandatory reporters must comply with legal requirements as set out in the Child Safety Reporting Procedures.

8.1.5 Further information is available at Australian Institute of Family Studies - Mandatory reporting of child abuse and neglect.

8.1.6 Where a worker who is not a mandatory reporter, develops a belief or suspicion, on reasonable grounds, that an identifiable child or young person has been harmed or is at risk of, suspected abuse, harm or neglect, the worker must promptly report the matter to the police or the relevant child protection agency. Both the police and child protection agencies are available to provide advice on any concerns related to a child safety concern.

8.1.7 Other types of reporting laws also exist, beyond those in child protection law, specifically in criminal law. Most states and territories criminal laws require adults to report known child sexual offences. The criminal laws have slightly different scope and details across jurisdictions, but all require reports to be made to police.

8.1.8 Workers may seek assistance from their Manager, Wellbeing and Workplace Relations or a Child Safety Champion however, the responsibility to make a report lies with the worker who has formed the belief or suspicion that a child or young person has been harmed or is at risk and the worker cannot delegate this responsibility. All child safety concerns must be reported to childsafety@acma.gov.au.

8.2 Reportable offences

8.2.1 It is a criminal offence not to report specified child abuse offences to the police. These reporting requirements apply to all adults and therefore, workers who develop a reasonable belief that specified child abuse offences have been committed must make a report. Failure to comply with this obligation could constitute a criminal offence and may also be a breach of the APS Code of Conduct.

8.2.2 Information on reporting child abuse is available at Australian Institute of Family Studies - Mandatory reporting of child abuse and neglect and in the Child Safety Reporting Procedures.

9. Complaints about workers

9.1.1 Suspected breaches of the Child Safety Code of Conduct or this policy must be reported to the relevant manager, and by emailing childsafety@acma.gov.au. Further information is available in the Child Safety Reporting Procedures.

9.1.2 When an allegation of a potential breach is received, we will:

9.1.3 prioritise the safety and wellbeing of the child or young person

9.1.4 respond to immediate risk of harm and mitigate against other unacceptable risks

9.1.5 adopt a trauma-informed approach i.e., we will be sensitive to the child or young person's trauma history, needs, preferences, safety, vulnerabilities and recognise that their experience may make them susceptible to certain triggers that may lead to re-traumatisation and re-victimisation.

9.1.6 Where a child safety concern, report, complaint or investigation is against an employee, appropriate action will be taken in accordance with the Child Safety Reporting Procedures and Human Resources Guide - Procedure for managing breaches of the APS Code of Conduct, including referral to another agency i.e. Australian Federal Police where appropriate.

9.1.7 For other workers, action will be taken in accordance with the relevant terms of the contract or funding grant under which the worker is engaged.

9.1.8 If the complainant is an employee, consideration will be given to their ongoing safety and wellbeing, and appropriate support will be offered. Further information is available in the Addressing and reporting unacceptable behaviour guide.

10. Advice and support

10.1.1 Workers who have reported or are planning to report child abuse offences or significant risks of harm to external authorities may seek general advice and assistance from Human Resources or a Child Safety Champion. This must be done without disclosing the identity of the individuals concerned or jeopardising any further investigation by external authorities.

10.1.2 Dealing with matters of child safety can be very difficult and may bring up strong feelings. Employees are encouraged to contact the Employee Assistance Program for confidential support and assistance or reach out to childsafety@acma.gov.au for guidance.

11. Record keeping

11.1.1 It is important that accurate and comprehensive records are maintained in relation to all child safety matters and referrals.

11.1.2 Records are to be maintained on an appropriate records management system which has been assigned appropriate access controls.

11.1.3 The Council of Australasian Archives and Records Authorities policy 26 provides guidance for identifying and retaining records which may become relevant to an actual or alleged incident of child sexual abuse.

11.1.4 Records are to be maintained in accordance with the National Archives of Australia General Records Authority No. 41.

11.1.5 When the reporter or victim and survivor does not want to be identified to authorities, the receiver of the report must comply with the relevant Commonwealth, state or territory legislation in relation to protecting the identity of the reporter or victim/survivor.

12. Key responsibilities

Role	Responsibility
ACMA Chair	• Approve the policy.
eSafety Commissioner	• Provide input to the policy as it pertains to eSafety.
Executive Manager, Human Resources and Communications and Executive Manager, Business Operations and Governance, eSafety	• Oversee and support the identification, mitigation and management of risks to child safety. • Monitor and report on compliance with the Commonwealth Child Safe Framework.
Child Safety Champions	• Raise awareness and advocate for child safety in the agency. • Act as a source of support, advice and expertise to workers on child safety issues. • Provide input to the annual child safety risk assessment. • Promote child safety training opportunities for workers.
ACMA Audit and Risk Committee eSafety Risk and Compliance Committee	• Provide oversight of the annual compliance process as required by the National Office of Child Safety.
Executive Manager, Finance, Reporting and Operations	• Manage procurement and contract management to align with the policy.
Executive Manager, eSafety (all)	• Complete an annual audit of child safety roles within their Branch.
Managers and Supervisors	• Be aware of obligations and ensure workers are aware of their obligations. • Assist workers to meet their obligations. • Ensure identified child safe roles are identified and flagged within the Sections Aurion establishment profile. • Ensure workers complete child safety training relevant to their role. • Ensure child safety risks are considered and managed in accordance with our Risk Management Framework. • Take immediate action when a worker may not be meeting their obligations under this policy.
Procurement Advisor	• Identify the child safety obligations of funded partners in requests for tender, as well as contracts, funding and other

	agreements for activities likely to have child safety impacts. • Ensure child safety risks are considered and managed in accordance with our Risk Management Framework. • Ensure the appropriate child safety clause is included in contracts and grant agreements documents where relevant.
All workers occupying positions designated as working with children or young people	• Hold and maintain a valid Working with Children Check (or equivalent). • Complete required training on child safety. • Report matters of abuse or harm to children or young people in accordance with legislative requirements, Child Safety Reporting Procedures and this policy. • Agree to comply with the Child Safe Code of Conduct.
All workers	• Comply with this policy. • Comply with applicable Commonwealth, state and territory legislation. • Complete child safety training as directed.

Appendix A: Definitions

Term	Definition
At risk	Encompasses various circumstances, including where the child or young person has suffered, or there is a likelihood that they will suffer, harm (being harm of a kind against which a child or young person is ordinarily protected), removal from the state for illegal purposes, neglect, truancy or homelessness.
Best interests of the child or young person	'Best interests' is a principle framed by Article 3 of the United Nations Convention on the Rights of the Child, which requires member states to observe the 'best interests of the child' as a primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies. This concept includes considering a child's *physical, emotional, psychological, social, moral and spiritual* needs. Subsequent articles in the Convention provide further clarification and guidance on how this principle should be interpreted and applied. Article 12 of the Convention provides the right of the individual child to express their opinions in all matters affecting them. Together, these principles need to be applied in consideration of how a child's rights and interests are or will be affected by another person's decisions and actions. Whenever a decision is to be taken that will affect a specific child or young person, the decision-making process must carefully consider the possible impacts, both positive and negative, of the decision on the child or young person concerned and must give this impact primary consideration when weighing the different interests at stake.
Child or young person	A child or young person is a person under 18 years of age or a person apparently less than 18 years of age if the person's age cannot be proven, consistent with the Commonwealth Child Safe Framework definition. If there is doubt, refer to the legislation in the jurisdiction of the worker.
Reasonable belief/grounds	A belief that a child or young person has experienced or is experiencing abuse or neglect may be formed when the abuse is disclosed, someone advises you, or your own observations of the physical condition, or observations of the behaviour of the child or young person, or someone who has responsibility for the child or young person indicates abuse may have occurred or is occurring.
Working with Children Check (WWCC)	An assessment of whether a person poses an unacceptable risk to children. As part of this process, the applicant's criminal history, child protection information and other information is checked. A WWCC may also be known by other names, including Working with Vulnerable People, a Blue Card, Working with Children Clearance or Ochre Card.
Working with children or young people	Working in an activity or in a position that involves or may involve contact with children or young people, either under the

Term	Definition
	position description or due to the nature of the work environment.