



ACT
Government

National Child Safety Reforms

February 2026 update





Content warning

The following presentation may raise strong feelings for you.

Beyond Blue

24/7 mental health support service

1300 22 4636

Beyondblue.org.au

Headspace

Online support and counselling to young people (12-25 years)

1800 650 890

headspace.org.au/eheadspace

Lifeline

27/7 crisis support and suicide prevention

3 11 14

Lifeline.org.au

Latest NQF child safety legislative changes following amendments to the Education and Care Services National Law

10 December 2025	1. Limitation period for offences to enable prosecution to be undertaken will be extended and stop the clock provision introduced 2. Strengthening regulatory authorities' ability to share and gather information, including from recruitment agencies
2 January 2026	3. Increase to penalties, expansion of infringement offences and expansion of regulatory penalties
27 February 2026	4. Paramount consideration 5. Managing devices in education and care services 6. Mandatory child protection and child safety training 7. Making inappropriate conduct an offence 8. Expanding regulatory authority powers to respond to misconduct 9. Strengthening Working with Children Checks requirements 10. Removing the ability to apply for an ongoing service waiver related to the design of the premises 11. Identifying and monitoring related providers 12. Expanding regulatory authority powers to enter and inspect family day care premises 13. Establishing a National Early Childhood Workforce Register

27 February 2026 changes

Changes requiring sector preparation

From 27 February 2026:

- The rights, safety and best interests of children are paramount
- Establishing a National Early Childhood Workforce Register
- Managing devices in education and care services
- Mandatory child protection and national child safety training
- Inappropriate conduct an offence
- Strengthening Working with Children Checks requirements
- FDC residence risk assessment and approval

Paramount consideration

From 27 February 2026

The National Law will require all people involved in operating ECEC services to ensure that the safety, rights and best interests of children is the paramount consideration in all their decisions and actions.

This will be known as ***“the paramount consideration”***.

This applies to approved providers, persons with management or control (PMCs), nominated supervisors, educators, staff, and volunteers.

Managing devices

From 27 February 2026 the National Law will include New Part 6A which means that:

- Personal devices will not be permitted to be in ***a person's possession or under a person's control*** while working directly with children in **centre-based services**.
- ***Service-supplied or service authorised device(s)*** can be used to capture, store or transmit images of children while at an education and care service for the purpose of education and care (**centre-based and family day care services**).



Mandatory child protection and child safety training

From 27 February 2026

- The requirements for who must complete child protection training will be expanded to include nominated supervisors, all staff members, and volunteers, including students.
- A new requirement for people to complete mandatory child safety training whether or not they work directly with children. This also includes PMCs
- Changes to the regulations will also expand the requirement for who must be advised of the existence and application of the current child protection law; and any obligations that the person may have under that law.



The screenshot shows the ACT Government website page for 'Training to respond to child abuse and neglect'. The page header includes the ACT Government logo and 'act.gov.au'. The breadcrumb trail is: Home > Community > Child protection and youth justice > Training to respond to child abuse and neglect. The main heading is 'Training to respond to child abuse and neglect' with a sub-heading 'Sign up for training if you work or volunteer for an ACT organisation that works with children.' Below this, there is a section 'On this page' with links for 'Keeping children and young people safe training' and 'Contact us'. A section titled 'You may need to do training if you:' lists two bullet points: 'work or volunteer for an ACT organisation that works with children' and 'are a mandatory reporter.' At the bottom, there is a banner for 'Register for Gecco' featuring a cartoon gecko character sitting at a desk with a laptop.

Making inappropriate conduct an offence

From 27 February:

- Subjecting children to inappropriate conduct while they are being educated and cared for will become an offence under the National Law.
- Approved providers and nominated supervisors must ensure that children are not subjected to inappropriate conduct while at an education and care service and failure to do so will be an offence.
- It will also be an offence for an approved provider, nominated supervisor, staff member or volunteer (including students) to subject a child to conduct that a reasonable person would consider to be inappropriate in an education and care service.

Making Inappropriate conduct an offence (2)

- Detailed guidance is being finalised, which will provide many examples of:
 - Inappropriate conduct v inappropriate discipline
 - Inappropriate conduct v appropriate conduct
 - Guidance will provide examples for difference age groups
- Some inappropriate conduct will be very black and white, eg force-feeding. Other instances may be more nuanced and require consideration of context, such as tickling or hugging.

Strengthening Working with Children Checks requirements

From 27 February 2026:

- All individuals must to hold a valid Working with Children Check (WWCC)/Working with Vulnerable People (WWVP) clearance before starting work in an education and care service. These changes will impact WA, ACT and NT.
- Mandating notifications by all staff to their approved provider of any changes to their WWCC/ WWVP status. These changes impact TAS, ACT and NT) Recently introduced in NSW.
- Mandating notifications by approved providers to the regulatory authority of a change to a staff member's WWCC/WWVP status. These changes will occur in all jurisdictions except for QLD, WA and with some exceptions in SA.

FDC residence risk assessment and approval

From 27 February 2026

- Approved providers will also be required to assess not just the FDC residence, but areas near the residence that may be accessible to children.
- FDC approved providers will need to formally approve the areas to be used for education and care.
- This expands the existing requirements for risk assessments of the premises of the FDC residence.

Establishing a National Early Childhood Workforce Register

From 27 February 2026:

- A national Early Childhood Workforce Register (Register) will be established, and nominated supervisors, staff and volunteers must be included on the Register.
- Approved providers will need to enter and maintain workforce information in the register for access by state and territory regulatory authorities.
- Approved providers will have one month from this date to update the Register.
- Approved providers must update the Register within 14 days of a person being employed, engaged or appointed, and within 14 days of becoming aware of any change to information.

Establishing a National Early Childhood Workforce Register (2)

From 27 February 2026:

- Relevant sections of the register are visible only to nominated roles within the Provider and Service, without general visibility outside their own workforce.
- Regulatory Authorities can see the entire Register.
- Various reports and views will be available to monitor compliance, such as qualifications across the service, including first aid, child protection and child safety, and WWVP expiry dates.
- Contact matching will occur with existing contacts, such as index records, PMCs or nominated supervisors

<https://www.acecqa.gov.au/new-national-educator-register>

<https://www.acecqa.gov.au/national-quality-framework/child-safety/early-childhood-worker-register#ECWRFAQ>

Information sheet



CHILD SAFETY New National Early Childhood Worker Register

This information sheet provides an overview of the new national early childhood worker register being developed by ACECQA.

A new Register

Education Ministers have asked ACECQA to build a new, National Early Childhood Worker Register (the Register) to give regulators better visibility of who is working in the sector and where. The Register will better support the existing role of regulatory authorities to monitor, identify and respond to risk with respect to persons working in children's education and care.

The Register will be built by ACECQA within the National Quality Agenda IT System. The national IT system is already used by the sector and regulatory authorities.

For approved providers, the Register will be an electronic mechanism to enter information they must currently collect and maintain for each education and care service worker employed, engaged or appointed at their service. This includes the following information about their workers:

- identity (name, date of birth, any alias and/or former names)
- contact information (address, telephone number and email)
- role at the service
- date of commencement / date of employment cessation
- service approval number of the service they are engaged with
- if they are employed directly or indirectly (e.g. through a recruitment agency or labour hire) at the service
- if they are employed on a three-month probationary basis (for centre-based services only) (not applicable in NSW)
- relevant qualifications held (and if applicable, that the staff member is 'actively working towards' that qualification, or is counted in ratios by virtue of a probationary period)
- evidence of having completed the following training and qualifications including:
 - required child protection training, and the expiry date (if applicable)
 - required child safety training, and the expiry date (if applicable)
 - approved first aid qualification
 - approved anaphylaxis management training
 - approved emergency asthma management training
- current Working With Children Check (WWCC) or Vulnerable People Check (WWVP) (or state equivalent) identifying number and expiry date OR teacher registration number and expiry date (if applicable).

27 February 2026 changes for regulatory authorities

Removing ability to apply for service waivers related to design of premises

From 27 February 2026:

- Approved providers will no longer be able to apply for a service (ongoing) waiver related to the requirement for premises to be designed to facilitate supervision (regulation 115).
- This new provision does not remove the ability to apply for a temporary waiver for regulation 115, as it may be warranted in some circumstances, such as when building modifications are required.
- Temporary waivers will continue to be considered on a case-by-case basis, with regulatory authorities always considering whether there are appropriate measures being taken to protect the safety and wellbeing of children while a proposed waiver is in force.

Expanding regulatory authority powers to respond to misconduct

From 27 February 2026 expanded powers will enable regulatory authorities to:

- Direct an approved provider to temporarily suspend education and care by a nominated supervisor, staff member, volunteer (including students)
- Issue a notice to an approved provider to require supervision of a staff member (other than a FDC coordinator) or volunteer (including students),
- Require training to be completed by a nominated supervisor, staff member or volunteer (including students)

Identifying and monitoring related providers

From 27 February:

- Regulatory authorities will be able to identify approved providers that are related to each other and consider this when making regulatory decisions and taking enforcement action.
- There are two limbs to the definition of related providers in new section 5B:
 - The first limb is based on the FAL definition;
 - The second limb requires a related approved provider determination by the Regulatory Authority . The regulations will prescribe non-exhaustive factors, being links between the providers.

Expanding regulatory authority powers to enter and inspect family day care premises

From 27 February 2026

- With consent, authorised officers can enter and inspect areas of a family day care (FDC) premises beyond the part of the FDC residence in which education and care is provided.
- This includes:
 - when an authorised officer needs to assess and monitor compliance with requirements relating to the safety,
 - health and wellbeing of children, or
 - if the authorised officer reasonably suspects an offence may have been or may be being committed.

Notice of acquisition

From 27 February 2026:

- An approved provider that is a body corporate will be required to notify the regulatory authority that granted its provider approval when 50% or more of its ownership or voting rights are acquired.
- The notification must be made within 7 days of the acquisition.
- This doesn't have to happen in one transaction, but providers must notify the Regulatory Authority when the 50% threshold is reached.

Resources

Learn about these changes on ACECQA's child safety webpages

[Child safety - Changes to the National Quality Framework - Strengthening safety in education and care | ACECQA](https://www.acecqa.gov.au/national-quality-framework/child-safety)

<https://www.acecqa.gov.au/national-quality-framework/child-safety>

[Child safety - What is changing? | ACECQA](#)

The screenshot shows the ACECQA website interface. At the top, there is a search bar and navigation tabs for NQF, Qualifications, Quality ratings, Resources & projects, and Workforce. The main content area features a large image of children in a classroom setting. To the right of the image is a vertical list of links with red arrows pointing right:

- NQF
- What is the NQF? →
- Guide to the NQF →
- National Quality Standard →
- Approved learning frameworks →
- National Law and Regulations →
- Assessment and rating resources →
- Child safety →

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- identity (name, date of birth, any alias and/or former names)
- contact information (address, telephone number and email)
- role at the service
- date of commencement / date of employment cessation
- service approval number of the service they are engaged with
- if they are employed directly or indirectly (e.g. through a recruitment agency or labour hire) at the service
- if they are employed on a three-month probationary basis (for centre-based services only) (not applicable in NSW)
- relevant qualifications held (and if applicable, that the staff member is 'actively working towards' that qualification, or is counted in ratios by virtue of a probationary period)
- evidence of having completed the following training and qualifications including:
 - required child protection training, and the expiry date (if applicable)
 - required first aid training, and the expiry date (if applicable)
 - approved first aid qualification
 - approved anaphylaxis management training
 - approved emergency asthma management training.
- current Working With Children Check (WWCC) or Vulnerable People Check (WVPC) (or state equivalent) identifying number and expiry date OR teacher registration number and expiry date (if applicable).

Information sheet

CHILD SAFETY Extending the limitation period for commencing proceedings under the National Law

Note: The Guide to the NQF is currently being updated and will reflect these changes to the National Law from early January 2025.

The Australian, State and Territory Education Ministers agreed to make changes to the limitation period for commencing proceedings under the Education and Care Services National Law (National Law).

What's changing?

From 10 December 2025, changes to section 284 of the Education and Care Services National Law (National Law) will give regulatory authorities 2 years from the date they became aware of an alleged offence to commence legal proceedings, rather than 2 years from when the offence occurred.

This change ensures regulatory authorities can act on serious offences, even if they are disclosed years later.

Why is this changing?

The Royal Commission into Institutional Responses to Child Sexual Abuse found that survivors of child abuse often wait decades before speaking out to disclose abuse – on average, 23.9 years before disclosures are made. Before these changes to the National Law, regulatory authorities were unable to act on older offences due to the strict 2-year time limit which began when the offence occurred. The changes address this by allowing regulators time to act once they are told about an offence, even if it happened a long time ago.

How the changes apply to past offences

The changes to the limitation period apply retrospectively. This means that, if the regulatory authority becomes aware of an offence, they now have 2 years from the date of awareness to commence proceedings against an offender even if the offence was committed prior to 10 December 2025.

Examples of how the new limitation period works

Scenario	Before 10 Dec 2025	After 10 Dec 2025
1) Offence occurred 1 August 2018. Regulatory Authority became aware of offence on 1 May 2025.	Proceedings must start within 2 years of date of the offence. Statute of limitations expired: 1 August 2020 . Regulatory Authority can no longer commence proceedings.	Proceedings must start within 2 years of the Regulatory Authority becoming aware of the offence. Statute of limitations period starts: 1 May 2025 . Regulatory Authority can commence proceedings up until 1 May 2027 .
2) Offence occurred 1 May 2023. Regulatory Authority had NOT been made aware of offence occurring.	Statute of limitations expired: 1 May 2025 . Regulatory Authority can no longer commence proceedings.	Statute of limitations period starts when Regulatory Authority becomes aware of offence.



In 2025 Education Ministers agreed to a comprehensive package of reforms to strengthen child safety in education and care services. These are outlined in the Decision Regulation Impact Statement (DRIS).

These reforms reflect expectations by governments and community across Australia to have the highest standards of safety and quality in children's education and care.

Keep up to date with CECA

CECA will continue to share information and updates about child safety reforms

Keep up to date with CECA by:

- Attending ACT ECEC Sector Meetings and Forums, online information and consultations sessions.
- Follow CECA's Facebook page
- Visit the ACT Education Directorate
- Read CECA stakeholder specific EDMs (CECA bi-monthly Update, CECA Notifications and Alerts)



ACT
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Children's Education and Care Assurance

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Phone: 02 6207 1114

Website: www.act.gov.au/education-and-training

Facebook: <https://www.facebook.com/CECAACT/>



Questions



Thank you.

Any questions?

Email CECA@act.gov.au