

Record number: 23/745391
Phone: (07) 3513 6713



**Non-State Schools
Accreditation Board**

6 October 2023

Dear Chairperson

The *Child Protection Regulation 2023*

I am writing to inform you about some recent changes to the Queensland Child Protection Regulation.

The *Child Protection Act 1999* (the Act):

- provides for the protection of children
- promotes the safety of children, and
- supports families caring for children, to the extent that it is appropriate.

What has changed

The *Child Protection Regulation 2023* (the 2023 Regulation) has now replaced the *Child Protection Regulation 2011* (the 2011 Regulation) in accordance with the *Statutory Instruments Act 1992*. The 2023 Regulation came into effect on 1 September 2023.

The intention of this policy change was to remake the Regulation with amendments that aim to strengthen the way the Act is administered by:

- improving clarity and consistency with the Act
- supporting the implementation of the *Child Protection Reform and Other Legislation Amendment Act 2022* (CPROLA Act), particularly with respect to embedding the Aboriginal and Torres Strait Islander Child Placement Principle
- modernising definitions of 'violence' to align with the *Domestic and Family Violence Protection Act 2012*, and
- modernising language relating to gender identity and diversity to align with the recently passed *Births, Deaths and Marriages Registration Act 2023*.

How these changes apply to non-State schools

Section 13G(2)(b) of the Act states that when someone is making a mandatory report, the report must include certain information (to the best of the reporter's knowledge).

This information was previously prescribed in section 10 of the 2011 Regulation.

In the 2023 Regulation, **Part 2 Protection of children – mandatory reporting Section 4** now prescribes that mandatory reports must provide the following details:

Floor 8 Education House
30 Mary Street Brisbane 4000
PO Box 15347 City East
Queensland 4002 Australia
Telephone +61 7 351 36773
Email nssab.admin@qed.qld.gov.au
Website www.nssab.qld.edu.au
ABN 53 636 704 278

- a child's name
- a child's age
- a child's sex descriptor (as defined in [Schedule 3](#))
- details of how to contact the child
- details of the harm reported and the person suspected of causing harm to the child, and
- the identity of any other person who may be able to give information about the harm to which the report relates.

Please note that the language of 'sex descriptor' seeks to recognise gender identity and diversity. This terminology is in line with the *Births, Deaths and Marriages Registration Act 2023*. Sex descriptor is defined to mean 'male', 'female', or any other descriptor of sex (e.g. 'agender', 'genderqueer', 'non-binary'). This definition will also enable reporters to record 'no sex descriptor' in circumstances where the child does not have a sex descriptor.

What you need to know about compliance

Compliance with the law is one of those factors the Board can consider when assessing whether a governing body is suitable to be the governing body of a non-State school.

The Board encourages the governing body to review and amend its school's written student protection processes, including reporting forms, in light of these amendments.

A copy of this letter is available on the Non-State Schools Accreditation Board's website for your future reference: <https://nssab.qld.edu.au/>.

Further information about the new provisions is available on the Queensland Government website: [*Child Protection Regulation 2023*](#).

Yours sincerely



Lynne Foley OAM
Chairperson