

Queensland Protection Commission Bill 2026

INDEPENDENT SCHOOLS QUEENSLAND SUBMISSION



18 September 2026

About Queensland Independent Schools

Community confidence in the independent schooling sector remains strong with more than 160,000 students enrolled in more than 230 independent schools across Queensland. These schools educate approximately 18 percent of the state's total school-age population.

Independent schools are valued institutions and a pivotal part of Queensland's education system. They are valued schooling choices for families, hubs of human and community connection, places of intellectual, civic and social development, employers and employment generators, education innovators and change-makers.

Independent schools are as unique as the communities they serve and offer parents a choice in the education of their children. Common to all independent schools is their commitment to strong student outcomes, high standards of behaviour, and the welfare and wellbeing of students.

Many independent schools educate international students or specialise in the education of students with disability. There has also been strong growth in the number of Special Assistance Schools for students who have disengaged from mainstream schools, and trade training schools that combine senior year studies with practical vocational education and training.

Over the past five years, enrolments at Queensland independent schools have increased significantly. This growth is a clear indication that parents value an independent education and are prepared to invest their after-tax incomes in their child's schooling.

Independent Schools Queensland (ISQ) is the peak body representing Queensland's independent schooling sector. Independent Schools Queensland represents the interests of its member schools, fosters choice in education and protects the autonomy of independent schools. ISQ is a not-for-profit organisation and membership to ISQ is voluntary.

Queensland Protection Commission Bill 2026

Independent Schools Queensland (ISQ) supports the intent and direction of the Queensland Protection Commission Bill 2026 (the Bill) and provides the following comments on specific proposed legislative changes.

ISQ acknowledges the Government's commitment to strengthening child safeguarding arrangements through the establishment of a dedicated Queensland Protection Commission (QPC) and the consolidation of key child protection and screening functions within a single entity.

Independence of the Queensland Protection Commission

ISQ supports the establishment of the Queensland Protection Commission (QPC) and the consolidation of key child safeguarding, screening and oversight functions within a single entity. Bringing together the Child Death Review Board (CDRB), Child Safe Standards (CSS), Reportable Conduct Scheme (RCS), Working with Children Check (WWCC) and Disability Worker Screening (DWS) functions has the potential to improve coordination, information sharing and safeguarding outcomes.

However, these functions are not merely administrative in nature. They are critical oversight and regulatory frameworks that support the protection of our most vulnerable Queenslanders. Public confidence in these functions requires clear independence of the regulator and adequate resourcing.

ISQ notes that several provisions in the Bill appear to alter the governance model that currently applies to the Queensland Family and Child Commission (QFCC). Most notably, the Bill allows the Minister to recommend the removal of the Commissioner or a Deputy Commissioner "for any reason or none" and that the Explanatory Notes acknowledge this provision may raise concerns regarding fundamental legislative principles.

The Bill also proposes a broader shift in governance arrangements, including the decision not to constitute the Commission as a statutory body, increased ministerial oversight through a statement of expectations framework, and administrative accountability arrangements that place responsibility with the departmental chief executive rather than the Commission itself. Collectively, these changes appear to move away from the model of an independent statutory commission and towards a more departmentalised commissioner model.

ISQ recognises the importance of accountability and effective oversight of statutory office holders. However, where a regulator is expected to independently review government systems, scrutinise safeguarding practices and provide public assurance regarding child protection arrangements, strong institutional independence is critical. ISQ respectfully suggests that consideration be given to adopting governance arrangements that better reflect the Commission's oversight role, including removal provisions limited to defined circumstances such as misconduct, incapacity or failure to perform the duties of office.

ISQ considers that the Bill may be strengthened by including a legislative principle requiring the rights, safety, wellbeing and best interests of children and young people to be a paramount consideration in the exercise of the Commission's functions. Such a principle would provide a clear foundation for the Commission's governance, regulatory priorities and decision-making and help ensure that children and young people remain at the centre of Queensland's safeguarding framework.

Regulatory approach, proportionality and implementation

ISQ supports strong regulatory action where an organisation or individual deliberately conceals information, fails to respond appropriately to risks to children, or engages in serious or systemic non-compliance. Equally, effective regulation requires a proportionate approach that recognises the practical realities of implementing significant new safeguarding reforms and supports regulated entities to achieve compliance.

The CSS commenced on 1 January 2026 and the RCS commenced on 1 July 2026. As a result, reporting entities, including independent schools, are still establishing and refining governance arrangements, reporting pathways, investigation processes and workforce capability to meet their obligations under these new frameworks. The transition to the QPC will occur during this important implementation period.

The current implementation period has been characterised by an educative approach that acknowledges organisations require time to develop systems, train staff and build confidence in the practical operation of the new requirements. ISQ supports the introduction of substantially higher penalties, however, respectfully requests that consideration be given to the timing and enforcement of these, noting the importance of an educative approach in supporting organisations to meet the new requirements. In this context, ISQ suggests that the QPC adopt QFCC's transparent regulatory approach that prioritises education, guidance and capability building while organisations continue to embed these reforms. Regulatory responses should be proportionate to the nature and seriousness of any non-compliance and should distinguish between deliberate misconduct and inadvertent administrative or technical errors occurring despite genuine efforts to comply.

ISQ notes that the Bill proposes to increase the maximum penalty for certain failures to comply with RCS notification and reporting obligations from 100 penalty units to 150 penalty units, with the increase proposed to commence on 1 February 2027. Given the recent commencement of the RCS, ISQ suggests that discernment will be critical as to when these new higher penalties will be applied.

The effectiveness of the new Commission will also depend on the availability of practical guidance and implementation support. Clear regulatory expectations, sector-specific guidance and accessible compliance resources will assist organisations to understand their obligations and build consistent safeguarding practices. As responsibility transitions to the QPC, continuity of advice, reporting pathways and regulatory support will be particularly important to maintaining confidence in the new framework and supporting ongoing compliance.

Working with Children Check Framework and sector alignment

ISQ notes that the transfer of responsibility for the WWCC scheme to the QPC creates an opportunity to consider broader improvements to the operation of child-related employment screening across Queensland.

While the Bill does not propose substantive changes to the application of the WWCC framework across sectors, ISQ notes that the current framework is not applied consistently across all industries and settings. Rather, the legislative requirements differ depending on the regulated employment, business, or service category in which an individual works, despite pursuing the same underlying objective of protecting children.

Independent schools present a unique example of this complexity. Schools commonly operate across multiple regulated categories simultaneously and may employ workers under different regulated employment and business categories, including *Schools – employees other than teachers*, *Schools – boarding facilities*, *Child accommodation services*, and regulated businesses such as *Education and Care Services*. These categories can apply within the same school environment and involve workers interacting with the same children, yet are subject to differing screening obligations.

While ISQ acknowledges the challenges associated with developing a single framework that accommodates diverse sectors and operating contexts, the current arrangements can be difficult for schools to interpret and apply consistently. The complexity of the framework creates uncertainty for employers and workers alike and can result in inconsistent implementation. Greater harmonisation, clearer guidance, and more consistent application of requirements across comparable child-related roles would assist schools to meet their obligations and support the effective operation of the WWCC framework.

ISQ suggests that, as the QPC matures and assumes responsibility for Queensland's screening framework, consideration be given to opportunities to simplify and better align the operation of the WWCC scheme across sectors. A more consistent and risk-based framework would support stronger safeguarding outcomes while reducing administrative complexity for organisations operating across multiple child-related environments.

ISQ also notes that the Queensland College of Teachers (QCT) remains separate from the proposed QPC framework despite both agencies undertaking child safety and suitability functions in relation to the school workforce. The establishment of the QPC presents an opportunity for Government to consider whether closer alignment between teacher registration, employment screening and child safeguarding functions would improve regulatory efficiency, information sharing and risk identification across the education sector.

More broadly, consideration could be given to moving towards a model adopted in other jurisdictions such as NSW, whereby all teachers are also required to hold a Working with Children Check in addition to professional registration. Under such an approach, the QPC could be responsible for universal child-related employment screening through the blue card framework, while the QCT retains responsibility for professional standards, registration, conduct and competency matters. Such a model may provide greater consistency across the education workforce, simplify safeguarding arrangements for employers operating across multiple educational settings, and establish clearer lines of responsibility between child safety screening and professional regulation. It would also align practices with lawyers (now required to hold a blue card) and make clear that the QPC is the central child protection agency and promote greater intelligence sharing.

Information sharing, coordination and procedural fairness

ISQ supports the Bill's objective of improving information sharing between safeguarding, screening and regulatory bodies. Better information sharing has the potential to improve risk identification, support timely interventions and strengthen child protection outcomes.

At the same time, information sharing powers should be accompanied by clear safeguards regarding the collection, use, retention and disclosure of information. Information gathered through notifications, investigations and screening processes may be incomplete, disputed or later found to be inaccurate. Decisions based on that information can have significant consequences for individuals and organisations.

ISQ therefore supports a framework that incorporates strong procedural fairness protections, including opportunities to correct inaccuracies, respond to adverse information and access appropriate review mechanisms.

The proposed safeguarding intelligence capability similarly has the potential to identify emerging risks, trends and patterns that might not otherwise be detected. As this capability develops, it will be important to clearly define its purpose, governance arrangements, information-sharing practices and privacy protections. ISQ respectfully requests that meaningful consultation with regulated sectors occur before any expanded intelligence function becomes operational.

The creation of the QPC also presents an opportunity to improve coordination between regulators. Schools may otherwise be required to report the same matter to multiple agencies, including the QPC, Queensland College of Teachers, Non-State Schools Accreditation Board, Queensland Police Service and child protection authorities. The Commission should work with partner agencies to streamline reporting requirements, improve information sharing and reduce unnecessary duplication while maintaining accountability and oversight.

Stakeholder engagement

The establishment of the QPC represents a significant reform affecting education, early childhood, disability and community service sectors. Ongoing engagement with regulated entities will be essential to ensuring that the Commission's regulatory approach remains practical, proportionate and responsive to emerging issues.

ISQ encourages the establishment of a formal stakeholder advisory mechanism to facilitate continuing dialogue between the Commission and regulated sectors. Such a mechanism would support consultation on regulatory guidance, implementation priorities, information-sharing arrangements and broader safeguarding initiatives.

Conclusion

ISQ supports the policy intent of these reforms and recognises the importance of establishing a strong and integrated safeguarding regulator. ISQ further acknowledges the Government's commitment to ensuring continuity of functions through the detailed transitional arrangements included in the Bill.

The establishment of the *Queensland Protection Commission Bill 2026* presents an important opportunity to strengthen child safeguarding arrangements through improved coordination, information sharing and regulatory oversight. As the transition progresses, it will be important to ensure that the regulatory framework remains independent, proportionate, practical and focused on achieving improved outcomes for children and young people.

Accordingly, ISQ recommends that the Queensland Government:

- review the governance arrangements proposed in the Bill to ensure the QPC retains an appropriate degree of institutional independence;
- limit the removal of Commissioners and Deputy Commissioners to clearly defined circumstances consistent with established statutory office-holder models;
- include an explicit legislative principle requiring the rights, safety, wellbeing and best interests of children and young people to be a paramount consideration in the exercise of the Commission's functions;

- exercise discernment regarding application of the proposed increase in RCS penalties pending further implementation experience;
- examine opportunities to simplify and better align employment screening arrangements across sectors;
- require the Commission to publish an educative and proportionate regulatory framework;
- ensure robust safeguards govern the collection, use, retention and disclosure of safeguarding information;
- consult with regulated sectors before implementing any expanded safeguarding intelligence capability;
- improve coordination and reduce unnecessary duplication across relevant regulatory agencies;
- provide practical guidance and implementation support throughout the transition to the Commission; and
- establish ongoing mechanisms for stakeholder engagement and consultation.

ISQ welcomes the opportunity to continue working collaboratively with the Queensland Government, the QFCC and, in due course, the QPC throughout implementation of the reforms. The independent school sector remains committed to enhancing child safeguarding outcomes and supporting the development of practical, effective and proportionate regulatory arrangements that strengthen the protection and wellbeing of children and young people.

Further information

ISQ welcomes the opportunity to provide further information if required or to participate in future consultation in this work.

Please contact Director, Education & School Services, Yvonne Ries via YRies@isq.qld.edu.au or office@isq.qld.edu.au. You may also call us on 07 3228 1515.

