

Australian Capital Territory

# Children and Young People (Care and Protection Organisations) Guidelines Revocation 2025

## Disallowable instrument DI2026-53

made under the

### Children and Young People Act 2008

- Section 62 (Entity may apply to be suitable entity for a purpose)
- Section 352F (Approved care and protection organisations-monitoring)
- Section 352T (Intervention-guidelines)

## EXPLANATORY STATEMENT

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Since 2018, three guidelines (the Guidelines) have been in place under the *Children and Young People Act 2008* (the Act) to guide the overall operation of approved care and protection organisations:

- *Children and Young People (Care and Protection Organisations and Responsible Persons – Suitability Approval Application) Guidelines 2018 (No 1)* [DI2018-95];
- *Children and Young People (Approved Care and Protection Organisations – Monitoring) Guidelines 2018 (No 1)* [DI2018-96];
- *Children and Young People (Approved Care and Protection Organisations – Intervention) Guidelines 2018 (No 1)* [DI2018-97].

The function of the Guidelines was to support the day-to-day operation of the legislation and to articulate regulatory principles used in the assessment, intervention and monitoring of care and protection organisations. The ACT Care and Protection Organisation Standards (the Standards) are used as the basis for this work.

The Standards and Guidelines promote Section 11(2) of the Human Rights Act 2004 by ensuring that organisations meet expected standards to protect children and young people from forms of distinction or discrimination. Human rights are promoted by raising the quality of services that work with children and families engaged in the Child Protection system and are designed to drive cultural change to create, maintain and improve child safe practices and as such contribute to the promotion of the rights of children and young people.

The Standards also commenced in the ACT in 2018 and have recently been reviewed and updated to ensure they reflect contemporary practice and clear expectations in the provision of services to promote the highest level of care for children and young

people. This has led to revised Standards coming into effect on 24 October 2025, and information in the Guidelines, in particular those pertaining to assessment and monitoring, becoming outdated in that they refer to and summarise the 2018 Standards.

To support flexibility and accessibility, guidance for care and protection organisations has been developed as directorate policy rather than statutory instrument. Directorate policy will be made publicly available to support organisations compliance.

The Standards, and associated directorate policy, embody the rights contained in Section 11 of the Human Rights Act 2004. The revision of the Standards, and redevelopment of associated guidance, does not diminish the existing human rights of children and young people under the Children and Young People Act 2008, or those contained in the previous version of the Standards and Guidelines.