

## Topic 5

# The rights of children



The National Child Safety Training aims to enhance safety for children and strengthen child-safe culture across the education and care sector by introducing shared language, responsibilities, and understanding. The training was developed in partnership between Australian Centre for Child Protection (ACCP) and the Queensland Government on behalf of Australian governments.

The first level of training, Foundations of Child Safety, includes two eLearning courses:

- **Course 1:** Understanding Child Safety
- **Course 2:** Understanding and Identifying Child Abuse and Neglect

To complement the mandatory eLearning courses, a suite of non-mandatory Community of Practice resources has been developed to extend learning and support the application of knowledge in education and care settings. Whilst the Community of Practice are a voluntary component of the National Child Safety Training, they provide structured opportunities for discussion, reflection, and shared learning over time, helping staff build confidence and consistency in practice.

These resources contain prompts and suggested activities aligned with each course topic. They are designed to be flexible and may be selected, adapted, shortened, or revisited to suit different service types, team sizes, and meeting formats. The intention is to support practical conversations, not to prescribe a fixed program. There is no expectation that all topics and activities will be used and it is at your discretion how you use these resources.

Child safety is everyone's responsibility in places where children learn and grow. Harm can affect a child's wellbeing, learning, and development throughout childhood, and its impacts can continue into adulthood. When child safe practices are not in place, children are more at risk of harm.

By completing the mandatory eLearning training alongside some non-mandatory Community of Practice activities, you can strengthen your understanding of your role in protecting children, responding to concerns, and supporting a child safe environment in your service.



Australian  
Centre for  
Child Protection



Queensland  
Government

## The rights of children

Understanding and upholding the rights of children is central to child safe practice in education and care services. When children's rights are upheld, they are more likely to be and feel safe. They will also feel more confident that they can speak up and be heard if they ever don't feel safe.

Australia recognises children's human rights under the United Nations Convention on the Rights of the Child (UNCRC). These rights include being safe from harm, being heard, having access to education and healthcare, being treated with dignity, and being supported to play and thrive.

The United Nations Declaration on the Rights of Indigenous Peoples further recognises the specific rights of Aboriginal and Torres Strait Islander peoples, including children, and emphasises dignity, cultural identity, and self-determination.

In education and care services, children's rights are embedded in the National Quality Framework and National Law. This means children's safety, rights and best interests must always be the paramount consideration.

When children's rights are upheld:

- They are more likely to feel safe.
- They are more confident to speak up.
- They develop trust in adults.
- They experience dignity, belonging, and respect.





### Reminder

You **do not** need to run all three activities.

Select, adapt, shorten, or spread activities across sessions to suit your group and available time.

Activities can also be adapted for one-on-one supervision, mentoring conversations, or team meetings. You may choose to use a single scenario, question, or reflective prompt to guide discussion.

<b>Activity 1: Applying children’s rights in everyday practice</b>	
<p><b>Objective</b></p>	<p>This activity supports participants to recognise how children’s rights show up and are protected in everyday practice and decision-making.</p> <p>It helps participants to:</p> <ul style="list-style-type: none"> <li>• Identify children’s rights within ordinary service scenarios.</li> <li>• Notice where rights may be overlooked or unintentionally limited.</li> <li>• Strengthen confidence in using a rights-based lens in daily interactions.</li> <li>• Translate children’s rights into practical, realistic actions.</li> <li>• Reinforce that upholding rights happens through consistent, everyday practice, not only formal policy decisions.</li> </ul>
<p><b>Time</b></p>	<p>20-30 minutes</p>
<p><b>Format</b></p>	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p><i>Small Group Activity</i></p>  </div> <div style="text-align: center;"> <p><i>Individual Reflection</i></p>  </div> </div>
<p><b>Materials needed</b></p>	<ul style="list-style-type: none"> <li>• Scenario cards</li> <li>• Paper</li> <li>• Pens</li> </ul>



## Activity plan

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### Facilitator preamble

*“Children’s rights are not just written in documents; they are visible and upheld in everyday moments. This activity helps us notice where rights are upheld, and where we may need to think more carefully.”*

### Remind participants

- The focus is reflection, not judgement.
- Many decisions are complex.
- We are exploring improvement, not perfection.

### Step 1: Small group scenario discussion (15-20 minutes)

- Ask participants to break into small groups.
- Provide each group with 1-2 short everyday scenarios.
- Ask groups to discuss:
  - *Which child rights are visible and upheld in this scenario?*
  - *Are any rights being overlooked here?*
  - *What would a rights-based response look like?*
- Encourage participants to consider:
  - Right to safety.
  - Right to dignity and privacy.
  - Right to be heard.
  - Right to participation.
  - Right to cultural identity.
  - Best interests of the child.

**Step 2: Share and connect (10 minutes)**

- Each group shares one insight:
  - One Right that stood out.
  - One practical action that upholds that Right.
- Reinforce that rights are upheld through small, consistent everyday actions.

**Step 3: Closing reflection**

- Invite participants to complete: *“One action I can take to strengthen children’s rights is...”*

**Facilitator tips**

Remind participants:

- Some scenarios may feel “grey” rather than clearly right or wrong.
- Scenarios are not about criticising individuals, it’s about noticing where children’s rights are upheld, overlooked, or in tensions with other priorities.



## Online adaptation (MS Teams or Zoom)

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This activity can be delivered online using breakout rooms, shared scenarios, chat reflections, and optional polling. The purpose remains the same: to help participants recognise how children's rights are upheld through everyday practice.

### Platform preparation (before the session)

- Prepare the short everyday scenarios in a slide deck or shared document.
- Set up breakout rooms for groups of 3-4 participants.
- Optional: prepare a slide listing key children's rights as a visual reference.
- Have a shared document or whiteboard available to capture insights.

### Step 1: Create psychological safety

- Begin with a short preamble.
- Provide a wellbeing reminder.
- Remind participants that this is a reflective activity, not a compliance exercise.
- Reinforce that there are often multiple appropriate responses.

### Step 2: Small group scenario discussion

- Share one or two short scenarios on screen.
- Place participants into breakout rooms in small groups.
- Before opening breakout rooms, provide clear instructions in the chat:
  - Discuss which child rights are visible in the scenario.
  - Consider whether any rights could be overlooked.
  - Identify what a rights-based response would look like in practice.

- Encourage groups to consider rights such as:
  - Right to safety.
  - Right to dignity and privacy.
  - Right to be heard.
  - Right to participation.
  - Right to cultural identity.
  - Best interests of the child.
- Ask each group to nominate one person to share a key insight when returning to the main room.
- Send a one-minute warning before closing breakout rooms.

### Step 3: Share and connect

- Bring participants back to the main room.
- Invite each group to share:
  - One Right that stood out in their discussion.
  - One practical action that strengthens that Right in everyday practice.
- Capture key rights or actions on a shared screen or whiteboard.
- Briefly reflect on patterns across responses.
- Optional: Run a quick poll asking which Right participants feel is easiest to uphold in daily routines and which feels more challenging. Use results to prompt brief discussion.

### Step 4: Closing reflection

- Invite participants to complete the sentence in the chat or privately: *“One routine where I can strengthen children’s rights is...”*
- Pause briefly before closing.
- Reinforce that children’s rights are upheld through small, consistent actions in daily interactions, routines, and conversations.



## Scenario prompts: Applying children's rights in everyday practice

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For printing. The scenarios are intentionally brief. They are designed to prompt reflection and discussion rather than to determine a single "correct" answer. In many cases, more than one right may apply, and participants are encouraged to explore different perspectives and consider how rights can sometimes sit alongside competing priorities.

Facilitators are welcome to adapt these scenarios or develop their own to reflect their service, community, or context. If drawing on real examples from practice, ensure all examples remain de-identified and focus on the situation rather than individuals.

### Scenario Card 1:

During lunch, an educator tells all children they must finish everything on their plate before leaving the table. One child says they feel full but is told to "just eat a few more bites."

### Scenario Card 2:

A staff member changes a toddler's nappy in a busy space where other children are walking past. The educator chats to another staff member while completing the change.

### Scenario Card 3:

During group time, a child refuses to sit in the circle and chooses to watch from a distance. The educator insists the child must join in to learn.

### Scenario Card 4:

A child brings a cultural food from home. Another child says it “smells weird.” The educator quickly says, “We don’t say that,” and moves on without further discussion.

### **Scenario Card 5: Sleep and Rest**

At rest time, a child says they are not tired and do not want to lie down. The service requires all children to lie quietly for 30 minutes so the educator insists and forces the child to lie down saying “if you don’t lie down to rest you will miss out on play time with your friends later”.

### **Scenario Card 6:**

A child tells an educator they don’t like when another child hugs them. The educator says, “They’re just being friendly.”

### **Scenario Card 7:**

An educator takes photos of children on a service-supplied device for documentation. One child turns away and covers their face, but the educator keeps making attempts to photograph them saying “come on, give me a little smile”

**Scenario Card 8:**

A child becomes upset during pack-up time and throws a toy. The educator immediately removes the child from the group and sits them in time out telling them they cannot rejoin play for the rest of the session.

**Scenario Card 9:**

A family raises concerns about how their child is spoken to during transitions. The educator responds, "That's just how we manage behaviour here."

**Scenario Card 10:**


Two educators discuss a child's recent disclosure within earshot of other families at pick-up time.

**Scenario Card 11:**

A child wants to climb higher on the equipment than usual. An educator says, "No, that's too risky," without exploring support or supervision adjustments.

**Scenario Card 12:**

A child with additional needs is regularly given a separate activity during group experiences because it's "easier for everyone."

<b>Activity 2: Through their eyes</b>	
<b>Objective</b>	This activity helps participants reflect on how children express their rights, especially the right to be heard, in different ways.
<b>Time</b>	20-25 minutes
<b>Format</b>	 <p>The 'Format' section contains three circular icons. The first, 'Individual Work', shows a person sitting at a desk writing. The second, 'Small Group Activity', shows three people sitting on the floor and talking. The third, 'Whole Group Activity', shows a group of five people sitting in a circle and talking.</p>
<b>Materials needed</b>	<ul style="list-style-type: none"> <li>• Paper</li> <li>• Pens</li> <li>• Markers</li> </ul>



## Activity plan

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### Facilitator preamble

*“Children do not always use words to express themselves. Listening to children’s voices means tuning into many forms of communication.”*

### Remind participants

- Communication looks different for different children.
- Culture, age, ability and experience influence how children speak up.
- Listening with intention means being prepared to act.

### Step 1: Individual reflection or drawing (10 minutes)

- Invite participants to respond to this prompt:
  - *“Think about a time when a child expressed something without using clear words. What did it look like?”*
- Participants may:
  - Write a short reflection.
  - Draw a simple representation.
  - Create a list of behaviours or cues.
- Then ask:
  - *“How did the adult respond?”*
  - *“Could the adult have responded better?”*
  - *“What would a rights-based response look like?”*

**Step 2: Small group sharing (10 minutes)**

- In groups of 3-4, participants share:
  - One-way children express their wishes and feelings beyond words.
  - One adult action that supports their voice and participation.
- Encourage discussion about:
  - Cultural safety.
  - Trust-building.
  - Power differences.

**Step 3: Whole group sharing (5 minutes)**

- Bring participants back together.
- Invite each small group to share one insight or example that stood out during their discussion.
- Encourage participants to focus on what they noticed about how children communicate, rather than retelling the entire scenario.
- Guide the discussion by listening for and reinforcing themes such as:
  - Body language as communication.
  - Play as a way children express thoughts and feelings.
  - Emotional cues (withdrawal, excitement, distress, hesitation).
  - The importance of trust and relational safety.
  - The role of adults in noticing and responding.
- You might ask:
  - *“What helped you see this through the child’s eyes?”*
  - *“What would have been easy to miss in a busy day?”*
  - *“How does tuning into these cues support children’s rights and safety?”*

**Step 4: Closing reflection (2 minutes)**

- Invite participants to consider: *“One way I can show children their voice matters is...”*



## Online adaptation (MS Teams or Zoom)

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This activity can be delivered online using quiet reflection time, breakout rooms, chat sharing, and optional collaborative tools. The purpose remains the same: to strengthen participants' ability to recognise and respond to children's voice beyond words.

### Platform preparation (before the session)

- Prepare the reflection prompt on a slide.
- Set up breakout rooms for groups of 3-4 participants.
- Have a shared whiteboard or document ready to capture themes.
- Optional: prepare a word cloud tool (e.g., Mentimeter) for closing reflection.

### Step 1: Create psychological safety

- Begin with a brief preamble.
- Provide a wellbeing reminder.
- Encourage cameras on or off based on comfort.
- Reinforce that this is a reflective discussion, not an assessment of practice.

### Step 2: Individual reflection

- Share the prompt on screen:
  - *"Think about a time when a child expressed their wishes or feelings without using clear words. What did it look like?"*
- Invite participants to respond privately by:
  - Writing a short reflection.
  - Drawing a simple representation on paper.
  - Creating a list of behaviours or cues.

- After a few minutes, add the follow-up questions on screen:
  - How did the adult respond?
  - Could the adult have responded better?
  - What would a rights-based response look like?
- Keep microphones muted during this time to allow quiet thinking.

### **Step 3: Small group sharing in breakout rooms**

- Place participants into breakout rooms of 3-4 people.
- Before opening the rooms, provide clear instructions in the chat:
  - Each person shares one example of how children express voice beyond words.
  - Discuss one adult action that supports that voice.
  - Encourage discussion about cultural safety, trust-building, and power differences.
  - Ask groups to notice patterns rather than analysing individuals.
- Send a one-minute warning before closing breakout rooms.

### **Step 4: Whole group sharing**


- Bring participants back to the main room.
- Invite each group to share one insight or example that stood out.
- Encourage brief contributions focused on what they noticed about children's communication.
- As facilitator, listen for and reinforce themes.

- You may ask in chat or verbally:
  - *What helped you see this through the child's eyes?*
  - *What might be easy to miss in a busy day?*
  - *How does tuning into these cues support children's rights and safety?*
- Capture key words on a shared screen if helpful.

### Step 5: Closing reflection

- Invite participants to complete the sentence in the chat or privately: *"One way I can show children their voice matters is..."*
- Pause briefly before closing.
- Reinforce that recognising children's voice is an everyday responsibility that supports safety, dignity, and rights. When education and care staff take the time to notice, listen, and respond appropriately, children learn that their views matter and that they can trust the adults around them. They learn that speaking up can lead to support, protection, or change when it is needed.



<b>Activity 3: The best interest lens: Applying the paramount consideration under the National Law</b>	
<b>Objective</b>	<p>This activity supports participants to apply the “best interests of the child” principle to real decision-making situations. It helps participants to:</p> <ul style="list-style-type: none"> <li>• Recognise competing priorities.</li> <li>• Reflect on bias and assumptions.</li> <li>• Strengthen child-centred decision-making by applying the paramount consideration under the National Law.</li> </ul>
<b>Time</b>	30-35 minutes
<b>Format</b>	
<b>Materials needed</b>	<ul style="list-style-type: none"> <li>• Scenario prompts</li> <li>• Question sheet</li> <li>• Paper and pens</li> </ul>



## Activity plan

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### Facilitator preamble

*“The safety, rights and best interests of the child must be the paramount consideration. That means it comes first, even when decisions are difficult or inconvenient.”*

### Remind participants

- What feels ‘best’ can be shaped by personal and cultural beliefs
- There may be competing pressures (time, staffing, parent requests, routines)
- The goal is to pause and examine decisions through a child-centred lens
- Under the National Law, children’s safety, rights and best interest must be the paramount consideration in their delivery of education and care and the operation of an education and care service.

### Step 1: Scenario review (20-25 minutes)

- Divide participants into small groups of 3-4 and provide each group with one rights-based tension scenario and a question sheet.
- Ask participants to work through the question sheet and discuss their answers as a group.

### Step 2: Make the child’s best interests visible (10 minutes)

- Ask each group to move from reflection to action by inviting them to complete the following statement together:
  - *“As the child’s best interests must be the paramount consideration in this situation, we would ...”*
- Groups should list:
  - One immediate action
  - One communication approach (what would be said and how)

- One follow-up step or system support
- Encourage responses that are practical and realistic, not idealistic.

### Step 3: Share insights and strengthen practice (10 minutes)

- Bring the whole group back together.
- Invite each group to briefly share:
  - One barrier that makes best-interest decisions harder in real practice
  - One strategy that helps keep the child central

### Step 4: Closing reflection (2 minutes)

- Invite participants to complete silently or aloud: *“Before making a decision about a child, I can ask myself ...”*



#### Facilitator tip

If participants start speaking about rights in broad or legal language. Gently bring the conversation back to everyday practice. For example, you could say: *“What would a child actually experience?”*



## Online adaptation (MS Teams or Zoom)

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This activity can be delivered in an engaging and interactive way using breakout rooms, shared documents, polls, and chat features. The focus is on making the concept of “best interests of the child” practical, visible, and central to decision-making.

### Platform preparation (before the session)

- Upload each rights-based tension scenario into a shared document, slide deck, or breakout room chat.
- Prepare breakout rooms (3-4 participants per room).
- Create a quick poll question (e.g., “Thinking about your service, what pressures or priorities can sometimes compete with a child’s best interests?”).
- Have a shared whiteboard or slide ready to capture key insights.

Have the links ready before the session begins.

### Step 1: Create psychological safety

- Begin with the facilitator preamble.
- Provide a wellbeing reminder.
- Discuss there may be multiple reasonable responses or competing priorities.
- Mention this is about reflection and strengthening decision-making, not judging past actions.
- Encourage cameras on if comfortable but not required.

## Step 2: Scenario review in breakout rooms

- Launch breakout rooms and assign each group one scenario and the accompanying question sheet (shared via link or pasted into chat).
- Invite groups to:
  - Read the scenario together.
  - Identify where tension exists between competing rights, responsibilities, or pressures.
  - Work through the question sheet collaboratively. Advise participants that some questions may not apply to every scenario, so focus your discussion on the questions that are most relevant to the scenario your group has been given.
- To make this more engaging, invite groups to:
  - Appoint a “child advocate” in the group whose role is to keep asking, *“How does this affect the child?”* or *“Are we thinking about that whole child- including their age, development, culture and diversity, and individual needs?”*
  - Appoint a “real-world checker” who asks, *“What might make this harder in practice?”*
- Encourage groups to capture brief notes in a shared document or on a virtual whiteboard.

## Step 3: Make the child’s best interests visible

- Still in breakout rooms, ask each group to complete the statement together:
  - *“If the child’s best interests are the paramount consideration in this situation, we would ...”*
- Ask them to list:
  - One immediate action.
  - One follow-up action or system support that could be implemented to help prioritise the child’s best interest
- Encourage practical and realistic responses.

#### Step 4: Share insights and strengthen practice

- Bring everyone back to the main room.
- Run a quick poll asking:
  - *“What most often competes with best-interest decisions in practice?”* (e.g., time pressure, fear of conflict, uncertainty, workload, staffing issues, policy confusion).
- Then invite each group to share briefly:
  - One barrier that makes best-interest decisions harder in real practice.
  - One strategy that helps keep the best interests of the child central in decision making
- Capture key phrases on a shared screen under two headings:
  - Barriers
  - Strategies that help
- Highlight patterns and reinforce practical strategies that support child-centred action and decision making

#### Step 5: Closing reflection

- Invite participants to type into the chat or reflect quietly: *“Before making a decision about what is in the best interest of a child, I can ask myself ...”*
- Optional: Create a quick word cloud from responses to visually reinforce common themes (e.g., safety, voice, dignity, support).
- Close by reinforcing that keeping the child’s best interests central is not about perfection, but about pausing, asking the right questions, reflecting on the whole child, and acting with clarity and shared responsibility.



## Scenario cards: The best interest lens: Applying the paramount consideration under the National Law

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The scenarios are intentionally brief and may present situations where rights, responsibilities, policies, or practical realities appear to be in tension.

Participants are not expected to determine a single “correct” answer. The purpose of the activity is to explore how different rights may intersect, consider how decisions are made, and practise applying a child-centred lens when navigating complexity.

Facilitators are encouraged to adapt these scenarios or develop their own to reflect the context, community, and service type of their group. Any additional examples drawn from practice should remain de-identified.

### Scenario 1: Privacy vs Safety

Amira is 4 and very proud of doing things “all by myself.” During rest time she asks to change her clothes alone in the bathroom and says, “I don’t need help.”

The service policy requires educators to maintain visibility during personal care routines. The educator knows Amira is capable but also feels responsible for ensuring supervision and safety.

**Tension:** Right to privacy and dignity vs right to safety and supervision.

**Scenario 2: Cultural Practice vs Policy**

Luca's family has recently immigrated to Australia. His grandmother asks if he can wear a small cultural necklace at all times because it is important to their identity and protection beliefs.

The service has a strict no-jewellery policy due to choking and injury risks. The director wants to respect the family's culture but is concerned about consistency and safety.

**Tension:** Right to cultural identity and belonging vs health and safety policy.

**Scenario 3: Efficiency vs Dignity**

During a busy transition to outdoor play, children are asked to line up quickly. Harper becomes overwhelmed and sits on the floor crying.

An educator says, "We don't have time for this," and gently but firmly lifts Harper to move the group along. Another educator feels uncomfortable but knows they are already running late for lunch.

**Tension:** Right to emotional safety and dignity vs time pressure and routine.

**Scenario 4: Family Preference and Body Safety Education**

The service runs a body safety program that teaches children correct names for body parts and reinforces that their body belongs to them. One parent approaches the director and says they do not want their child participating in these conversations, stating it is a “family matter.”

Staff feel torn between respecting the family’s wishes and ensuring all children receive protective education.

**Tension:** Right to protection and education vs respecting family beliefs

**Scenario 5: Inclusion and Risk**

Ethan uses a walker and wants to climb a new play structure that other children are enjoying. The structure is challenging but not prohibited. One educator feels it is important for Ethan to try with support. Another is worried about potential injury and says, “It’s probably not safe for him.”

**Tension:** Right to participation and inclusion vs duty of care and risk management.

**Scenario 6: Child's Voice and Assumptions**

At pick-up time, Mia quietly says, "I don't want to go home today." She does not elaborate. Her parent appears calm and friendly. The educator feels unsure whether this is normal separation reluctance or something more concerning. It is the end of a long day and several families are waiting.

**Tension:** Right to be heard and taken seriously vs avoiding assumptions or overreaction.

**Scenario 7: Behaviour and Group Safety**

Kai often disrupts group time by shouting and knocking over materials. Some children have started saying they don't want to sit near him. One educator suggests removing Kai from group activities until he "learns to behave." Another suggests that exclusion may make things worse.

**Tension:** Right to inclusion and support vs protecting the wellbeing of the group.

**Scenario 8: Confidentiality and Curiosity**

A child makes a partial disclosure about feeling unsafe at home. The educator reports it to the director and follows procedure. Later, another staff member asks for details, saying, "I just want to know what's going on." The educator feels pressure to share but knows information should be limited.

**Tension:** Right to privacy and dignity vs team transparency.

**Scenario 9: Staffing Pressure and Emotional Security**

During nappy change, Oliver becomes distressed and repeatedly asks for a specific educator. That educator is on break. The room is short-staffed. The available educator wants to comfort Oliver but feels rushed and aware of other children waiting.

**Tension:** Right to relational safety and emotional security vs staffing constraints.

**Scenario 10: Cultural Communication Differences**

An Aboriginal family prefers to speak with educators informally during pick-up rather than responding to written messages or attending scheduled meetings. Important updates about the child are often shared in these short conversations. Some staff feel concerned that key information might be missed without more formal communication, while another educator suggests the service should reflect on whether its usual processes are culturally inclusive and welcoming for all families.

**Tension:** Balancing the service's responsibility to maintain clear communication and documentation to support the best interests of the child, while also respecting the family's right to engage in ways that feel culturally safe and comfortable.



## Question sheet: The best interest lens

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1. What is making this situation difficult? Are there competing rights or priorities?
2. What policy, cultural, relational, or organisational pressures are present?
3. Who might feel stressed or uncertain in this moment?
4. What might different adults believe is “best” here and what factors may be influencing this belief
5. How could personal beliefs, habits, efficiency, or risk-aversion influence the response?
6. What might this child be feeling, needing, or communicating?
7. Which rights are most relevant in this situation?
8. What could prioritising the child’s safety, wellbeing, dignity, and voice look like in practice?
9. Is there a “we’ve always done it this way” mindset?
10. Is efficiency being prioritised over rights?
11. Are assumptions being made about culture, behaviour, or family?
12. Is the child’s voice being minimised or overlooked?