KEY INSIGHTS

Beyond the behaviour:
System responses to harmful sexual behaviours

Background

Every child has the right to be safe, heard and supported. Protecting those rights requires more than the efforts of any one professional, service or agency. It requires a safeguarding system that recognises risk, shares information effectively and acts in the best interests of all children and young people.

Children who have experienced trauma, abuse or neglect do not always communicate their needs in obvious ways. Some may display harmful sexual behaviours, sexual behaviours that are outside what is expected for a child's age or development and that may cause harm to themselves or others. Children who display harmful sexual behaviours may themselves be vulnerable and need care and support, while the safety and wellbeing of other children must also be protected.

Why we investigated

Our investigation arose from a complaint by a parent alleging that their child had been harmed by another child in an early learning centre. Through a single case review, we examined how effectively the systems surrounding the children identified, assessed and responded to concerns, and whether opportunities to prevent further harm were missed.

What we found

Looking beyond the individual complaint, our investigation identified broader opportunities to strengthen child safeguarding practices and demonstrated how independent oversight can support practical system learning and help prevent harm. Our investigation identified broader systemic weaknesses, including:

- missed opportunities for early assessment and intervention;
- inconsistent information sharing between key stakeholders and within the Department of Communities;
- gaps in recordkeeping, limiting transparency and accountability; and
- a fragmented response, where concerns were considered individually rather than brought together to understand patterns and cumulative risk

What needs to change

The case demonstrates why safeguarding systems must consider the whole picture when concerns about a child arise. Harmful sexual behaviours need to be identified and assessed early, children's views need to inform decision-making, and relevant information must follow the child across services and settings. When concerns arise repeatedly, they must be considered together rather than as isolated incidents, so that patterns and cumulative risk can be recognised and acted on.

Effective safeguarding requires agencies and organisations to join the dots, share information and act in a timely and coordinated way when concerns emerge.

We acknowledge important reforms made by the Department of Communities during the investigation, including strengthened information sharing and referral arrangements between the Education and Care Regulatory Unit and Child Protection and Family Support, and the introduction of Harmful Sexual Behaviours Response Mapping Tools.

Our recommendation

The Ombudsman recommended that the Department of Communities identify children in the care of the CEO who displayed harmful sexual behaviours in an early learning centre and confirm whether appropriate information was shared with service providers to support the needs and safety of those children. The Department of Communities is to report back to Ombudsman WA by the end of 2026.