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|  | <h1>Safe Environment Policy</h1> | <b>Version No:</b> | 4.0             |
|   |                                  | <b>Issued:</b>     | 18 October 2011 |
|   |                                  | <b>Last Review</b> | August 2021     |
|   |                                  | <b>Next Review</b> | August 2026     |

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| Name of Council                 | Wudinna District Council   |
| GDS40 File reference            | 5.8  |
| Minutes reference:              | 10.5.1 – 21 September 2021   |
| Policy Level                    | Mandatory S114(1) Children and Young People (Safety) Act 2017  |
| Responsibility                  | Strategic Management   |
| Next review date:               | Council may review this policy anytime but at least every five years   |
| Applicable Legislation          | Childrens Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017<br>Children and Young People (Safety) Act 2017<br>Children and Young People (Safety) Regulations 2017<br>Child Safety (Prohibited Persons) Act 2016<br>Child Safety (Prohibited Persons) Regulations 2019<br>Local Government Act 1999 |
| Related Policies                | Code of Conduct for Council Employees<br>Code of Conduct for Elected Members<br>Complaints Policy and Procedure<br>Employee Conduct Policy<br>Fair Treatment Policy<br>Risk Management Policy  |
| Related Procedures / Standards: | Department of Human Services Principles of Good Practice:<br><a href="https://www.childabuseroyalcommission.gov.au/sites/default/files/SA.0029.001.0502.pdf">https://www.childabuseroyalcommission.gov.au/sites/default/files/SA.0029.001.0502.pdf</a>   |

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## 1. INTRODUCTION AND RATIONALE

In addition to the moral obligation to address any harm to children, amendments to the Children and Young People (Safety) Act 2017 (the Safety Act places a legal obligation on Councils and all other organisations providing a service wholly or partly to children) to ensure all children are safe from harm.

This policy aims to ensure the Council organisation and facilities are safe environments for children, young people and that they are protected from harm or risk of harm. The policy also aims to ensure that all relevant Council managers, employees, volunteers, contractors and consultants are aware of their duty of care responsibilities for the protection, safety and wellbeing of children at all times.

## 2. LEGAL OBLIGATIONS

### 2.1 Childsafe Environments

Section 114(1) of the Safety Act requires Councils and subsidiaries to have in place policies and procedures for ensuring:

- 2.1.1 child safe environments for children and young people are established and maintained within the organisation, and
- 2.1.2 mandatory reporting obligations (as set out in Chapter 5, Part 1 of the Safety Act) are complied with.

The policies and procedures must comply with the Principles of Good Practice issued by the Chief Executive of the Department of Human Services (DHS) as varied from time to time.

### 2.2 Mandatory Reporting

Section 31 (1) of the Safety Act prescribes mandated notifiers as any Council employee, contractor, volunteer or person undertaking educational or vocational training that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who:

- 2.2.1 provides such services directly to children and young people, or
- 2.2.2 holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people, and
- 2.2.3 Mandated notifiers also include an officer of a Council or subsidiary who holds a management position, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children.

Mandated notifiers must report any suspicion of harm or risk of harm of a child to the Child Abuse Report Line (telephone 24 hours a day, 7 days a week on 131478) or online at

<https://my.families.sa.gov.au/IDMProv/landing.html>

## 3 DEFINITIONS

Definitions under this policy:

- 3.1 Child or young person means a person under the age of 18.
- 3.2 Harm includes physical and psychological harm caused by sexual, physical, mental or emotional abuse caused by neglect.
- 3.3 Prescribed position is a position in which a person works with children or a position in which it is reasonably foreseeable that the person will work with children, including people who:
  - a) Provide a service or undertake an activity that is child related work in the course of their employment,
  - b) Carry on a business in which an employee works with children (whether or not the person works with children), or

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- c) Are employed to provide preschool, primary or secondary education to a child (whether or not the person is a registered teacher).

Prescribed positions may be held by employees, volunteers, contractors, persons undertaking educational/vocational training or elected members.

#### 4. APPLICATION OF THE POLICY

The policy will apply from the date of adoption by Council, to all employees, volunteers, elected members, students on placement, work experience students, contractors and consultants providing services wholly or partly to children, or who work with or near children.

**Note:** A schedule of roles and responsibilities is included as Attachment A.

The Safe Environment Policy will be communicated to all relevant audiences to ensure awareness and understanding of Council's commitment to ensuring a safe environment. This will include elected members, staff, volunteers, contractors, consultants, parents, carers and children where relevant.

#### 5. POLICY

Council is committed to ensuring the organisation and Council facilities are safe environments for children and vulnerable people.

In particular, the following standards reflect the guidance provided by Department of Human Services (DHS) on appropriate standards of conduct for adults in dealing with children.

**Note:** These Child Safe Environment Guidelines are based on DHS Principles of Good Practice, which provide further detail about what is involved in each of the following standards and includes indicators of compliance.

##### 5.1 Risk Management Strategy

Council will identify and assess potential sources of harm and take steps to decrease the likelihood that harm will occur to children, young people and other vulnerable people who use our services. Areas of risk assessment will include human resources, activities and programs, record keeping, physical spaces, and organisational culture.

**Note:** Risk management strategies will vary in scope and detail depending on the complexity and size of the organisation, the type of activities or services provided for children and the age and maturity of the children involved.

##### 5.2 Codes of Conduct

All employees, volunteers, contractors, elected members and consultants will be required to comply with the code of conduct endorsed by Council which sets out standards of conduct when providing services to children.

The code of conduct is supported by Council's Complaints Policy and Procedure to address breaches of the code of conduct.

For more information about these procedures, contact the Council's Safe Environment Contact Officer

**Note:** Codes of Conduct could be separate documents or written into existing codes of conduct to provide guidance for protective work practices for staff and volunteers, and to prevent harm to children. Refer to Attachment B for code of conduct specific to children and young people.

##### 5.3 Recruitment, Selection and Enhancing Performance

Council will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with, and provide services to, children and young people.

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Applicants for prescribed positions will be screened for their suitability to provide services. Screening will involve Working With Children Checks (WWCC), interviews, referee reports, checking qualifications and previous employment history in working with children.

Council will ensure that all staff and volunteers who work with children or who have access to their personal records have ongoing support and training to develop, enhance and maintain a child safe environment.

#### 5.4 Involvement in decision-making

Council will promote the involvement of children and young people in service development planning where relevant, and inform them of their rights and how to access complaints procedures where relevant.

#### 5.5 Responding to Suspected Abuse and Neglect

Council will ensure that staff, volunteers, contractors and consultants providing services to and/or working with children are aware of and are trained, and appropriately supported to report any suspicion of harm or risk of harm on reasonable grounds.

### 6. POLICY REVIEW

The Safe Environment Policy will be reviewed at a minimum at least every 5 years to ensure compliance with the DHS Principles of Good Practice and effective maintenance of a safe environment.

### 7. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.wudinna.sa.gov.au](http://www.wudinna.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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## ATTACHMENT A: ROLES AND RESPONSIBILITIES

**Council** is responsible for development of the “Safe Environment Policy” and in conjunction with the

Chief Executive Officer and/or his or her delegates (where appropriate):

- 1) promoting protection of children and young people from harm;
- 2) responding promptly to advice received from the Chief Executive Officer or other sources concerning significant changes to relevant legislation and regulations; and
- 3) regularly reviewing the effectiveness of the policy.

**Elected Members** have individual responsibility for appropriate behaviour towards children and young people, and for compliance with the policy.

The **Chief Executive Officer** is accountable to Council and responsible as follows.

- 1) Ensuring the policy is implemented, monitored, reported on and evaluated.
- 2) Being aware of mandatory reporting requirements, procedures, and associated legal responsibilities.
- 3) Ensuring significant changes to relevant legislation are brought to the attention of Council in a timely manner.

**Managers and Supervisors (paid and voluntary)** are accountable to the Chief Executive Officer as follows:

- 1) Recruitment and selection in accordance with Council’s human resources policies and procedures and requirements for working with children.
- 2) Effective implementation of the policy, procedures and safe workplace practices.
- 3) Being aware and promoting acceptable behaviour when dealing with children and young people.
- 4) Providing appropriate induction and on-going training as required in relation to the Safe Environment Policy.
- 5) Establishing and maintaining supportive procedures for fulfilling mandatory notification requirements and ensure mandated notifiers understand their legal responsibilities.
- 6) Reporting any reasonable suspicion of harm they have of a child to the Child Abuse Report Line (note: it is the mandated notifier’s responsibility to report their suspicion, not their supervisor’s or manager’s).
- 7) Supporting staff and responding to enquiries regarding suspicions of harm or related issues, maintaining appropriate records and ensuring records are securely stored.
- 8) Maintaining confidentiality and fully cooperating with the Department for Child Protection (DCP), the South Australian Police and other relevant government agencies in their investigations of suspected harm of a child or other vulnerable person if required.
- 9) Report annually to the Chief Executive Officer on implementation, monitoring and review of the Policy and relevant services, programs, and workplace practices.

**Mandated Notifiers** have obligations under the Safety Act to notify the DCP if they suspect, on reasonable grounds, that a child is or may be at risk of harm and the suspicion is formed in the course of their work (paid or voluntary) or in carrying out official duties.

**Note:** Whilst the obligation to report suspicions of harm rests with mandated officers, they are encouraged to seek advice and support from their supervisor and manager, or Safe Environment Contact Officer in relation to suspicions of child harm or risk of harm. This practice will ensure staff and volunteers are appropriately supported, records are kept confidentially and securely, and any organisation responsibilities in addition to the mandatory reporting obligation are pursued where relevant.

### Other Council Staff, Volunteers, Contractors and Consultants (Non-Mandated Notifiers)

All Council staff, volunteers, contractors and consultants providing services on behalf of Council have a role to play in providing a safe environment for children, young people and other vulnerable people, and for complying with the policy.

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Council strongly encourages and will sensitively support any staff member, volunteer, contractor or consultant, though not a “mandated notifier” as defined by the Safety Act, to report any suspicion they have of incidents of harm of a child or young person.

In these cases, incidents of harm of a child or young person are to be reported to the relevant program manager who will, in consultation with the Chief Executive Officer, determine the appropriate action to be taken and where appropriate report to the relevant Government authorities.

### Third Party Responsibility

- 1) Contractors/Consultations
- 2) Licensees
- 3) Lease of Council premises/facilities
- 4) Hire of Council facility - conditions/agreements
- 5) It is recommended that Councils include a clause in contracts of engagement, leases and relevant hire agreements, stipulating the requirement for compliance with Council’s Safe Environment Policy. This applies to all contractors including organisations, sole traders and partnerships.

Council will:

- 1) disclose the policy;
- 2) attach a copy of the policy to the contract, lease or hire agreement, or provide access to an electronic version of the policy;
- 3) reserve within the clause a right to update the policy;
- 4) insert within the clause an obligation to comply with the policy; and
- 5) insert within the clause an obligation to notify Council of instances of non-compliance with the policy if the third party meets the “prescribed position” test.

Council is to seek legal advice in relation to any specific third party arrangements where relevant.

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## ATTACHMENT B: WORKING WITH CHILDREN CODE OF CONDUCT

Council is committed to ensuring that children and young people are treated with sensitivity, respect, fairness and dignity within a welcoming and supportive environment that is free from all types of harm and inappropriate behaviour.

This Code of Conduct has been drafted in accordance with section 114 of the South Australian's *Children and Young People (Safety) Act 2017* and [Council's] *Child Safe Environment Policy*.

This Code applies to all staff, elected members, volunteers, children, young people, parents and carers who access Council services. All employees, volunteers, contractors, consultants and any other persons engaged to provide any service wholly or partly to children on behalf of Council are required to comply with this Code of Conduct, as well as children, young people, parents and carers who access Council services.

The standards in this Code of Conduct are consistent with those established by Department for Child Development and international human rights principles as enshrined within the United Nations Convention on the Rights of the Child.

This Code of Conduct does not cover every situation – however, the values, ethics and standards it sets are a reference point to help make decisions relating to situations not referred to in this Code of Conduct. It sets out the minimum standards of behaviour expected during any interactions with children and young people in accessing Council services.

Council's Child Safe Officer can be contacted for further information relating to the application of this Code of Conduct or the Child Safe Environments Policy.

### 1. Supportive Behaviours

Staff, volunteers and those who access Council services must at all times:

- 1) Treat children and young people with dignity, respect, sensitivity, fairness and equity
- 2) Ensure children and young people are protected from any form of harm or discrimination
- 3) Ensure the environment is safe for children and young people – this includes protection from violence, bullying, teasing, threatening and sexist or racist remarks.

Role model positive behaviours, for example:

- 1) encourage children and young people to participate in decision making processes;
- 2) give constructive feedback to children and young people; and
- 3) ensure children and young people are aware of their rights, including their rights to respect, fairness and safety.

Staff and volunteers must be aware of their mandatory notification responsibilities and inform the:

Child Abuse Report Line (13 14 78) or report on line at: <https://www.childprotection.sa.gov.au/reporting-child-abuse>

if they form a suspicion of harm or risk of harm; or discuss their concern with their supervisor or manager and where relevant, explain the commitment to maintaining confidentiality including situations that would require the sharing of information, for example mandatory notification responsibilities.

### 2. Safe and Protective Work Practices

Staff and volunteers must adopt safe and protective work practices.

Staff and volunteers must be aware of potential situations and actions when working with children or young people that may be misinterpreted or misconstrued, and adopt safe work practices. For example:

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- 1) where possible work in an open and visible environment when with children and young people;
- 2) dress appropriately – for staff and volunteers, in accordance with Council’s Dress Code Policy;
- 3) secure parental/guardian consent for excursions or to obtain medical treatment for children and young people under 18 years if the need arises;
- 4) adopt a calm and non-judgmental attitude to allow young people to feel safe to raise complaints or concerns; and
- 5) where necessary, explain grievance procedures and avenues for complaint in simple and clear language that is appropriate to the age of the child or young person.

### 3. Unacceptable Behaviours:

Unacceptable behaviors include the following:

- 1) Any form of discrimination against a child or young person on the basis of ethnicity, culture, religion, gender, sexuality or on any other grounds.
- 2) Hitting or physically assaulting a child or young person.
- 3) Using language that is offensive, abusive or otherwise inappropriate.
- 4) Showing preferential treatment to one child or young person over others.
- 5) Shout, yell or speak to a child or young person in an angry, intimidating or threatening manner.
- 6) Engaging in rough physical play with children or young people.
- 7) Unnecessary physical contact with children or young people. For example, giving a child or young person a hug may be culturally inappropriate or it may be frightening or offensive to the child or young person.
- 8) Condone or participate in illegal or unsafe behaviours when working with children or young people.
- 9) Make inappropriate self-disclosures relating to any participation (past or present) in illegal or unsafe behaviours. For example, past drug use should not be disclosed to or discussed with children or young people.
- 10) Initiating or engaging in ‘friendship’ relationships with a child or young person.
- 11) For example, it is not OK to make arrangements to socialise outside the work environment. Remember, children and young people are clients not friends.
- 12) Taking children or young people to your home or on outings that do not fall within professional duties or that have not been authorised by parents or guardians
- 13) Acting in a manner that is sexually inappropriate – this includes verbal, physical and implied behaviours.
- 14) Initiating or developing a physical/sexual ‘relationship’ with a child or young person.
- 15) Initiating or developing any relationship that could be deemed as exploitative or abusive with a child or young person.

Failure to report disclosures of harm or risk of harm to the relevant supervisor and/or Families SA Child Abuse Report Line.

### 4. Breaches of Policy / Disciplinary Action

All staff and volunteers have a responsibility for promoting and supporting these values and standards of behaviour.

Where a staff member or volunteer is found to have acted outside of this Child Safe Code of Conduct, they will be subject to disciplinary action commensurate with the seriousness of their actions. This disciplinary action may take the form of a warning, counselling or termination of their employment.

Breaches of this Code of Conduct will be investigated on a case by case basis and in accordance with the Council’s Employee Conduct Policy.

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### 5. Reporting – If You Have a Concern

All staff, contractors, volunteers and those accessing Council services have a role in supporting this Code of Conduct by raising their concerns with the relevant Team Leader, Supervisor or Manager. Any questions of compliance raised by Council Members, other staff or the community regarding the Code will be considered by the relevant Manager or the Chief Executive Officer.

If you have any difficulties or questions regarding this Child Safe Code of Conduct, you should discuss these with the Team Leader, Supervisor, Manager, or Child Safety Officer.

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## ATTACHMENT C: MANDATORY (CHILD HARM) REPORTING - WHO NEEDS WHAT TRAINING?

### 1. Who are Mandated Notifiers

Mandated notifiers are staff, volunteers, contractors or consultants who provide health, welfare, education, sporting or recreational, childcare or residential services wholly or partly for children, being people who:

- 1) provides such services directly to children and young people; or
- 2) hold a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people.

The following points provide further guidance:

- 3) Parks and garden staff, dog and parking inspectors, and maintenance staff, do not provide services to children. They may come into contact with children from time to time in carrying out their duties, but are not mandated notifiers. However, all staff should be aware of Council's Child Safe Environment Policy and who to talk to about any concerns that may arise about child safety during the course of their duties.
- 4) Children are amongst the recipients of certain Council services, for example libraries, recreation centres, swimming pools, community centres, information services, and some community development programs. Staff and volunteers in these roles are mandated notifiers because they provide services partly to children.
- 5) Staff and volunteers in other roles provide services wholly to children, such as immunization services, childcare centres, children's library programs, education programs for children, and Youth Advisory Committees. Those involved in delivering these services are mandated notifiers.
- 6) Supervisors and/or managers and officers who have direct responsibility for the supervision of those staff and volunteers who provide services partly or wholly to children are also mandated notifiers.

There will be other types of services provided by Councils either wholly or partly to children. It is suggested that the above "partly" or "wholly" test be applied to determine if relevant staff and volunteers are mandated notifiers.

### 2. What Are the Training Requirements?

Training is not compulsory or a legal requirement.

However, the DHS Principles of Good Practice require that Council ensures all volunteers and employees are aware of their responsibilities under law as mandated notifiers and that volunteers and employees are able to identify and respond to children at risk of harm.

The training programs delivered through Local Government in South Australia since 2007 has been accredited by DECD in accordance with these standards.

It is suggested that mandated notifiers undertake refresher training three years after the initial training, and every three years thereafter.

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## ATTACHMENT: D RISK MANAGEMENT PLAN

Contact: <https://www.education.sa.gov.au/working-us/responding-abuse-and-neglect-training/find-out-ran-ec>

The following commentary highlights issues to address to manage risks of harm under the categories of Programs, Premises and Participants.

### 1. Programs – The Combination of Activities, Equipment and Leadership

Basic safety considerations serve to limit opportunities for harm, such as:

- 1) Determining the number of leaders required for specific activities;
- 2) Providing opportunities for parental/carer participation;
- 3) Matching program activities to the physical and intellectual capabilities of participants; and
- 4) Recognising the risks that some activities, such as photography and access to the Internet, afford for harm.

### 2. Premises – The Physical Environment in Which Activities are Conducted

The physical environment in which an organisation conducts its activities can enhance opportunities for harm, or it can reduce the risks. Organisations should consider the following issues:

- 1) Safety and security in recreational areas such as playgrounds, reserves, skate parks, and places where young people gather. For example, design features which ensure visual surveillance and lighting;
- 2) Access control, lighting, design of shower and toilet facilities when selecting locations to use for children's programs;
- 3) Ideally, the organisation should be able to monitor people entering and leaving its programs. Rooms and closets not required for program activities should be secured to prevent children from being isolated;
- 4) Indoor and outdoor areas should be adequately illuminated to enable observation of activities and discourage victimisation attempts in parking lots or play areas.

### 3. Participants – Protective Work Practices

Organisations should strive to develop a personal shield of safety around participants in activities for children and other vulnerable people and ensure protective work practices are in place to guide staff and volunteers in providing services to children.

### 4. Examples:

Examples of appropriate risk management:

- 1) Adopt policies concerning the administration of discipline. Corporal punishment should not be permitted;
- 2) Out of program contact between staff/volunteers and participants should be expressly prohibited. If not, the liability for such activities should be transferred to the parents/carers;
- 3) Limit the opportunity for one-on one, close and unsupervised contact between workers and volunteers and children, young people and other vulnerable people;
- 4) Gain consent of parents/care givers in advance if one-on-one unsupervised contact is to occur. Workers and volunteers to report to supervisors/managers in advance if one-on-one unsupervised contact is to occur;
- 5) Offer child harm prevention education to young participants in programs and parents/carers.

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## ATTACHMENT E: REFERENCES AND CONTACTS

A collection of Child Safe Environment references and resources on a range of topics is available via the Department of Human Services website under the heading “Additional Resources for creating child safe environments”:

<https://dhs.sa.gov.au/services/community-and-family-services/child-safe-environments/creating-child-safe-environments/additional-resources-for-creating-child-safe-environments>

### 1. Department for Child Protection, Child Abuse Report Line

Telephone 13 14 78

This is a 24 hour line and can be reached from anywhere in South Australia for the cost of a local call. Reports can also be made on-line at: [www.reportchildabuse.families.sa.gov.au](http://www.reportchildabuse.families.sa.gov.au)

### 2. SAPOL Special Investigations Unit

Telephone: 8226 1604

A resource for discussing, in confidence, concerns about behaviour of employees or volunteers that is believed to be inappropriate adult to child behaviour.

### 3. SA Department of Education

Appropriate Behaviour “Protective Practices for Staff in their Interactions with children and young people- , Guidelines for staff working or volunteering in education and care settings 2017 (2nd edition, revised 2019):

[https://www.education.sa.gov.au/sites/default/files/protective\\_practices\\_for\\_staff\\_in\\_their\\_interactions\\_with\\_children\\_and\\_young\\_people.pdf](https://www.education.sa.gov.au/sites/default/files/protective_practices_for_staff_in_their_interactions_with_children_and_young_people.pdf)

### 4. SAPOL – Volunteer Organisation Authorisation

Number for Police Checks – applying to non- government organisations providing a charity or community service. The State Government will meet the cost of police checks for volunteers who work with “vulnerable groups” such as children, the aged and frail, or people with a disability.

For further information contact 8204 2438, visit: [www.police.sa.gov.au](http://www.police.sa.gov.au) or email [SAPOLrecords@police.sa.gov.au](mailto:SAPOLrecords@police.sa.gov.au)

### 5. Telephone Contacts for Advice and Assistance for Children and Parents

Kids Help Line - 1800 55 1800

Lifeline -131 114

Youth Help Line - 1300 13 17 19

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## ATTACHMENT F: CHILD SAFE ENVIRONMENT CHECKLIST

Refer to DHS Principles of Good Practice

<https://www.childabuseroyalcommission.gov.au/sites/default/files/SA.0029.001.0502.pdf>

**EXPLANATORY NOTE:** The checklist below is a summary of the Principles of Good Practice issued by the Chief Executive, Department of Human Services pursuant to s145(a) of the Safety Act. Working through the **checklist as a risk management plan** will promote the wellbeing of children, young people and other vulnerable people in contact with your organisation. The Principles establish the minimum requirements that Councils must meet in order to demonstrate that appropriate steps have been taken to ensure the safe environments for children and young people. Whilst Councils child safe environments policies must comply with these minimum requirements it is also recognised that **risk management strategies will vary** in scope and detail depending on the complexity and size of the organisation, the type of activities or services provided, and the age and maturity of the young people involved. The indicators of compliance summarised below are not mandatory but provide guidance to demonstrate compliance.

| Checklist   | Issues To Consider and DHS Indicators of Compliance (Summary Only)  |
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| <p><b>Determine the policy review approach</b></p> <p>What approach to policy review will be adopted?</p>   | <p>Options include:</p> <ul style="list-style-type: none"> <li>• Allocate individual responsibility; or</li> <li>• Convene a Reference Group. Representation could include Council Member/s, relevant staff, volunteer coordinator/representative, and program participant/s. This approach will foster greater understanding of the policy principles.</li> </ul>  |
| <p><b>DHS Principle 1: Identify and Analyse risk of harm</b></p> <p>Develop and implement a risk management strategy that identifies, assesses and takes steps to minimise the risk of harm to children because of the action or inaction of a person involved with the organisation (i.e. employee, volunteer or another child).</p> <p>Review existing child protection policies and practices.</p> | <p><b>DHS Indicators of Compliance</b></p> <p>Members are aware of child development, how children/young people can be placed at risk of harm within an organisation and how harm can be detected.</p> <p>A safety review identifies Council's strengths and weaknesses relating to the safety and protection of children and vulnerable people.</p> <p>Key services provided to children are identified and the risks (including the sources of, and potential reasons for) posed to children are assessed. Potential consequences and existing controls are identified. Sources of risk may include personnel, physical environment, activities, training, organisational culture and/or practices.</p> <p>Risks are minimised in high-risk situations by a risk management process or plan (including situations that might lead to false, malicious or mistaken accusations of harm). These risks may be referred to in the Code of Conduct, which may also explicitly outline situations best avoided or how to minimise risks.</p> <p>The Risk Management Strategy or plan is regularly reviewed.</p> |
| <p><b>DHS Principle 2: Develop clear and accessible child safe policy and regularly review</b></p> <p>Council has a child safe environments policy outlining its commitment to promoting children's wellbeing and</p>   | <p><b>DHS Indicators of Compliance</b></p> <p>The Policy</p> <ul style="list-style-type: none"> <li>• expresses commitment to being a child safe organisation</li> <li>• is clear, easy to understand, accessible and promoted throughout the organisation</li> <li>• identifies legislative requirements and specifies responsibilities</li> <li>• has supporting procedures and standards</li> </ul>  |

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|  | <h1>Safe Environment Policy</h1> | <b>Version No:</b> | 4.0             |
|   |                                  | <b>Issued:</b>     | 18 October 2011 |
|   |                                  | <b>Last Review</b> | August 2021     |
|   |                                  | <b>Next Review</b> | August 2026     |

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| <p>safeguarding children and young people from harm.</p> <p>Refer Model “<i>Child Safe Environment Policy</i>”.</p> | <ul style="list-style-type: none"> <li>is communicated to relevant audiences <ul style="list-style-type: none"> <li>employees and volunteers to read, understand policy and sign a statement acknowledging awareness and responsibilities which is kept on the personnel file.</li> <li>ensure parents, caregivers and children (where appropriate) are made aware of the policy and are able to access a copy</li> </ul> </li> <li>is current (approved and endorsed) and is reviewed and evaluated on a regular basis.</li> </ul> |
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| Checklist  | Issues To Consider and DHS Indicators of Compliance   |
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| <p><b>DHS Principle 6: Empower and promote the participation of young people in decision-making and service development.</b></p> <p>For example, in the development of codes of conduct, and ensuring they know how to speak out about issues that concern them.</p> <p>Refer Attachment – <i>References and Resources</i>.</p>  | <p>Have a mechanism for seeking feedback from children and young people on the services provided, and relevant policies. Communicate this to children and parents.</p> <p>Clearly communicate action or response to feedback to children.</p> <p>Have procedures which inform children and young people of their rights and how to access complaint procedures.</p>   |
| <p><b>DHS Principle 7: Report and respond appropriately to suspected harm or risk of harm.</b></p> <p>Councils must ensure that employees/volunteers are aware of their responsibilities under the Safety Act if they have a suspicion on reasonable grounds that a child or young person is at risk.</p> <p>Refer Mandatory Reporting Training, and Attachment - <i>Child Safe Environments: Who needs what training?</i></p> | <p>Employees/volunteers are aware of their responsibilities as mandated notifiers and are suitably trained.</p> <p>Step by step procedures are in place to ensure action is taken if there are concerns about a child’s safety.</p> <p>Procedures are in place to assist employees/volunteers to respond, such as recording incidents and storing records securely.</p> <p>Secure process within the organisation for recording incidents, concerns, referrals.</p> <p>Note: In addition to mandated notifier’s record, a central log could also be kept of incidents reported, with date, notifier, name of child and a few key words to prompt recall of the incident. All records must be stored securely and confidentiality is to be observed.</p> |

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| <p><b>Establish a procedure for dealing with enquiries and supporting those with mandated notification responsibility</b></p> <p><b>Note:</b> Under S31, the duty to report suspected harm lies with the individual mandated notifier based on their suspicion on reasonable grounds. However, whilst not compelled to do so, the</p> | <p>Consider nominating a Safe Environment Contact Officer to provide advice and to support staff dealing with mandatory notification responsibilities. Alternatively, line supervisors and managers will need to undertake this role. The Safe Environment Contact Officer, and/or relevant supervisors and managers should</p> <ul style="list-style-type: none"> <li>be suitably trained to deal with issues in a sensitive and timely manner;</li> <li>have undertaken Child Safe Mandatory Notification one day training session, be aware of and observing arrangements for keeping appropriate records in a private and secure place, in accordance with Council’s record keeping policies;</li> </ul> |
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| <p>mandated notifier may wish to discuss the concern with their supervisor/manager or other nominated person within the organisation before doing so.<br/><i>Note:</i> The final decision to notify rests with the individual.</p> <p>DHS considers this arrangement is unlikely to breach confidentiality as Council has a duty of care to both recipients of services and its employees and volunteers, and disclosure of information is in the best interest of the child.</p> | <p><b>Note:</b><br/>There may be circumstances where action is required relating to Council's duty of care responsibilities, in addition to reporting to the Child Abuse Report Line.</p> <p>Make staff aware that it is an offence to threaten or intimidate, or cause damage, loss or disadvantage to, a person because the person has discharged, or proposes to discharge, his or her mandated notifier duty.</p> |
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| <b>Environment Checklist (Additional Matters for Consideration)</b>   | <b>Issues To Consider</b>   |
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| <p><b>Review of Urban Design in Public Places</b><br/>Give consideration to maximising safety through appropriate design features of public places, Council buildings and facilities, parks and reserves, playgrounds and areas where young people gather, access services and participate in programs.</p>   | <p>Refer Attachment: <i>Managing the Risks of Harm</i></p> <p>Building design<br/>Lighting<br/>Visual surveillance</p>  |
| <p><b>Compliance with Council's Safe Environment Policy Contractors and Consultants Grant Funding Agreements</b><br/>Include a clause in contractor and consultant contracts, and grant funding agreements regarding compliance with the Safe Environment Policy.<br/>Consider requiring contractors and consultants to nominate key personnel involved in providing services prior to engagement. Contractors and consultants include sole operators and partnerships.</p> | <p>Include a clause in contractors/consultants contracts, and grant funding agreements where relevant about compliance with Council's Safe Environment Policy.</p> <p>Refer Attachment: <i>Roles and Responsibilities - Examples.</i></p> <p>Remember if contractors and consultants (including sole operators and partnerships) are providing services to children in prescribed positions, WWCC required.</p> <p>Seek legal advice about any specific circumstance where risk exposure is unclear, or in relation to applying the policy and procedure, in particular in relation to the extent of control that Council is able to exercise over persons who are not employees.</p> |
| <p><b>Review Council licensing and facility lease/hire arrangements and consider associated risk exposure</b><br/>Identify licensing arrangements where contact with children or</p>  | <p>Include a clause in license/lease/hire agreements where relevant about compliance with Council's Safe Environment Policy.<br/>Refer Attachment : <i>Roles and Responsibilities - Examples</i></p> <p>Seek legal advice about any specific circumstance where risk exposure is unclear, or in relation to applying the policy and procedure.</p>  |

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|  | <p>other vulnerable people may occur and there is a risk of harm. Identify leases where the facility is used for providing services or activities for children and other vulnerable people.</p> <p>Review hire of facility agreements/conditions of hire and include a clause relevant to the Safe Environment Policy where relevant.</p>  |   |
|  | <p><b>Let everyone know about the Safe Environment Policy</b></p> <p>When endorsed by Council, provide a copy and brief all staff and volunteers and ensure relevant staff and volunteers are aware of mandatory reporting obligations. requirement for criminal history screening in prescribed positions procedures for dealing with suspicions of child harm or risk of harm.</p> | <p>Promote the new Safe Environment Policy through Council and Community Information networks, such as newsletters, Council's website and through other established forums.</p> <p>Ensure parents and children are aware of the Safe Environment Policy and procedures for making enquiries about child safety issues, and/or what to do if they have a complaint or concern.</p> |