



Child Safe Environment Policy

Council Policy

Renmark Paringa Council

Responsible Officer	Director Community & Corporate Services
Relevant Legislation	Children and Young People (Safety) Act 2017 (SA) Children and Young People (Safety) Regulations 2017 (SA) Child Safety (Prohibited Persons) Act 2016 (SA) Child Safety (Prohibited Persons) Regulations 2019 (SA) DHS Principles of Good Practice
Adopted	August 2023
Reviewed	
Next Review	July 2028

Purpose

Council is committed to the safety and wellbeing of children and young people who access our services. We support the rights of the children and young people in the community and will act without hesitation to ensure a safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all children and young people.

In addition to the moral obligation to address any harm or risk of harm to children, amendments to the *Child and Young People (Safety) Act 2017 (SA)* (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 or risk of harm.



Scope

Renmark Paringa Council delivers a varied range of services and functions which can bring Elected Members, employees and volunteers into contact with children and young people. This could be either as a main part of their role or indirectly when they are carrying out their work. Council recognises we all have a responsibility to protect children and young people. Children and young people have the right to be safe, happy and healthy and deserve protection from harm or risk of harm. Council is committed to respectfully safeguarding children and young people who access services and are involved in any of its activities with Council. This policy aims to ensure the Council organisation and facilities are safe environments for children and young people and that they are protected from harm or risk of harm. This 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 and young people at all times.

Legal Obligations

Child Safe Environments

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

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

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

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 recreation, child care or residential services wholly or partly for children and young people, being a person who:

- provides such services directly to children and young people; or
- 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



Mandated notifiers also include an officer or employee 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 13 14 78) or online at <https://my.families.sa.gov.au/IDMProv/landing.html>

Definitions

Definitions for the purpose of this Policy are:

Children	Refers to a person under 18 years of age
Working with Children Check	Refers to the screening process conducted by the Department of Human Services (DHS) Screening Unit. Status is granted as either “prohibited” (<i>cannot</i> work with children) or “not prohibited” (<i>can</i> work with children). A “not prohibited” check is valid for 5 years, and continuously monitored by the DHS Screening Unit.
Prescribed position	<p>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:</p> <ul style="list-style-type: none">- Provide a service or undertake an activity that is child-related work in the course of their employment;- Carry on a business in which an employee works with children (whether or not the person works with children); or- Are employed to provide preschool, primary or secondary education to a child (whether or not the person is a registered teacher). <p>Prescribed positions may be held by employees, volunteers, contractors, persons undertaking education / vocational training or elected members.</p>

Principles

The following principles underpin this policy:

- Harm or risk of harm to children and young people is illegal and must not be tolerated or ignored;



- Children and young people deserve respect, care and protection of their human rights regardless of special needs, cultural or socioeconomic factors;
- Children and young people should know that they have the right to be safe from harm or risk of harm at all times;
- Children and young people are entitled to the support of a responsible person if they experience or are at risk of experiencing harm; and
- Council has a role to play in fostering a safe local environment and in contributing towards the protection of children and young people from harm or risk of harm.

Policy Objectives

One of Council's paramount considerations in delivering services and programs is to foster the safety of children and young people. Council is committed in supporting the safety of children and young people and will undertake the following to manage its obligations under this policy:

- Take all reasonable steps to ensure the most suitable and appropriate people are engaged to work with, and provide services to, children and young people.
- Applicants for prescribed positions will be screened for their suitability to provide services; screening may involve interviews, referee reports, checking qualifications and previous employment history in working with children and obtaining Working with Children Check (WWCC).
- Employees employed in a prescribed position will undergo a WWCC not less than once every five years.
- WWCC will be verified and reviewed via the Screening Unit online organisational portal to ensure no changes to a check have been flagged.
- Identifying prescribed positions will involve consideration of the nature of the service provided (proximity or intimacy), the frequency (incidental contact, regular and/or on-going contact), and the vulnerability of the child or young person in the service provision context. A list of prescribed positions will be maintained.
- Increase awareness within the organisation about providing an environment where children and young people are safe and protected from harm or risk of harm.
- Obtain appropriate and suitable evidence when supervision is provided by service providers, facilitators and other persons who are employed or contracted by Council to work with or supervise children and young people (e.g., for school holiday programs, etc).



- Training requirements of all Elected Members, employees and volunteers will be identified and provided in accordance with regulatory requirements and their contact with children and young people.
- Maintain supportive and responsive procedures for fulfilling mandatory reporting obligations, where relevant, and dealing with complaints and issues effectively as they arise.
- Take appropriate security measures for the collection and maintenance of appropriate records related to children and young people during delivery of services and programs.
- Develop, monitor, evaluate and review risk management strategies and procedures to minimise harm or risk of harm to children and young people.

Responsibilities

The Council will:

- promote the protection of children and young people from harm or risk of harm.

The Chief Executive Officer will:

- ensure the Policy is implemented, monitored, reported on and evaluated
- awareness of mandatory reporting requirements, procedures and associated legal responsibilities
- recruitment and selection in accordance with Council policies, procedures and requirements for criminal history screening of existing employees and preferred applicants for prescribed positions
- ensure significant changes to relevant legislation are brought to the attention of Council in a timely manner

Directors are responsible to:

- effective implementation of the policy, procedures and safe work practices
- awareness and promotion of acceptable behaviours when dealing with children and young people
- provide appropriate induction and ongoing training and support as required
- establish and maintain supportive procedures for fulfilling mandatory notification requirements and ensure mandated notifiers understand their legal responsibilities
- report any reasonable suspicion of harm or risk of harm in accordance with Councils Children and Vulnerable Person's Safety Reporting Procedure including maintaining appropriate records



- maintain confidentiality and fully cooperate with the Department for Child Protection, the South Australian Police and other relevant government agencies in their investigations of suspected harm or risk of harm of a child or young person if required

All Employees and Volunteers will:

- follow the policy, procedures and guidelines for providing a safe environment for children and young people
- report any reasonable suspicion of harm or risk of harm of a child or young person in accordance with Council's Children and Vulnerable Person's Safety Reporting Procedure.

Review

The effectiveness of this Policy will be reviewed every five years. The Director Corporate & Community Services will report to Council on the outcome of the review and make recommendations for amendment, alteration or a substitution of a new Policy if considered necessary.

Document Control

Version #	Approval Date	Approved by	Amendment
1	August 2023	Policy Review Committee	New Policy