

 <p>DISTRICT COUNCIL of TUMBY BAY</p>	POLICY# 11.01 Safe Environment Policy POLICY AREA Social Services & Welfare	Version No:	1
	Issued:	Oct 2011	
	Next Review:	2018 After Next Election	

Aims & Objectives

Council is committed to the safety and wellbeing of children, young people and other vulnerable people who access our services. We support the rights of the child and vulnerable persons 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, young people and other vulnerable people.

In addition to children and young people, other vulnerable people could include the frail aged, people with a disability, and or people who experience disadvantage, for example, some Aboriginal Australians and newly arrived immigrants and/or refugees.

In addition to the moral obligation, amendments to the Children's Protection Act 1993 (SA) which came into effect on 1 January 2007 places a legal obligation on Councils (and all other organisations providing a service wholly or partly to children) to ensure all children in their care are safe from harm.

This policy aims to ensure the Council organisation and facilities are safe environments for children, young people and other vulnerable people and that they are protected from abuse and neglect. 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 at all times.

Policy Detail

1. LEGAL OBLIGATIONS

Section 8C(1) of the Children's Protection Act requires Councils to establish policies and procedures which take account of Department for Families and Communities Child Safe Environment Standards to ensure:

- child safe environments are established and maintained within the organisation;
- reports of suspected abuse or neglect are made under Part 4 of the Act.

S11(2) prescribes mandated notifiers as any Council employee or volunteer providing sporting or recreational services wholly or partly for children. Mandated notifiers must report any suspicion of abuse or neglect of a child to the DFC Child Abuse Report Line: telephone 24 hours a day, 7 days a week on 13 14 78.

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Section 8B requires criminal history screening to be undertaken by non-government organisations prescribed by regulation of people occupying or acting in a prescribed position:

- before a person is appointed to, or engaged in a prescribed position; and/or
- at any time as the organisation thinks necessary or desirable for the purpose of establishing or maintaining child safe environments.

2. DEFINITIONS

The Children's Protection Act 1993 (SA) states that **child abuse and neglect** (or harm) in relation to a child means

- Sexual abuse; or
- Physical or emotional abuse, or neglect to the extent that:
 - the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or
 - the child's physical and psychological development is in jeopardy.

Child means a person under the age of 18.

Criminal history screening involves obtaining information about relevant potential employees, volunteers, contractors or consultants on the basis that the information is deemed relevant to working in a child-related area. The information gathered may include details concerning previous employment and relevant experience; verification of qualifications and professional registration; criminal history information, reference checks and work history reports.

Mandatory reporting obligation means a mandated notifier (any person providing services solely or partly to children) must report any suspicion of abuse or neglect of a child to the DFC Child Abuse Report Line.

Prescribed position is one that requires or involves prescribed functions as follows:

- Regular contact with children or working in close proximity to children on a regular basis.
 - Close proximity means in reasonable unaided visual sight that is physically being within eyeshot.
 - Regular contact includes contact that may facilitate deliberate use of position and status to access and exploit children. This may include multiple instances of contact of limited duration (attendance at a weekly program) or fewer, extended and intense periods of contact which may be away from children's usual environment.
- Supervision or management of above positions; and
- Access to records relating to children.

A prescribed position may also include one that involves provision of aged care services, or services to other vulnerable people.

For Councils purposes these prescribed positions will include;

- Community Development Officer (youth community development programs, school programs etc.)
- Manager Environmental Services (immunisations)

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- School / Community Library Staff Member (Port Neill Hall)
- General Inspector (by-laws compliance)
- Deputy CEO
- Volunteers – Council directed

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 other vulnerable person in the service provision context.

3. APPLICATION OF THE POLICY AND RESPONSIBILITIES

The policy will apply from the date of endorsement, to all employees, students on placement, work experience students, relevant volunteers, contractors and consultants providing services wholly or partly to children, or who work with children.

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 Council Members, staff, volunteers, contractors, consultants, parents, carers, and children where relevant.

4. POLICY AND PROCEDURE STANDARDS

Council is committed to and has endorsed procedural standards which focus on ensuring the organisation and Council facilities are safe environments for children and vulnerable people. In particular, the following standards reflect the guidance provided by DFC on appropriate standards of conduct for adults in dealing with children.

4.1 Risk Management

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.

4.2 Codes of Conduct

All employees, volunteers, contractors 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 grievance procedure to address breaches of the code of conduct. For more information about these procedures, contact the Chief Executive Officer (can not be Deputy Chief Executive Officer as he is a prescribed position).

4.3 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 other vulnerable people. Applicants for prescribed positions will be screened for their suitability to provide services. Screening may involve interviews, referee reports,

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checking qualifications and previous employment history in working with children, and obtaining criminal history reports. If a criminal history report is obtained information will be dealt with in a manner that reflects the standards developed and issued by the Chief Executive DFC.

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

4.4 Involvement in decision-making

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

4.5 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 abuse or neglect on reasonable grounds.

5. POLICY REVIEW

The Safe Environment Policy will be reviewed annually to ensure compliance with the Department for Families & Communities standards, and effective maintenance of a safe environment.

Strategic Link:

Delegation:

Documentation:

- Children’s Protection Act 1993 (SA)
- SA Department for Families and Communities – *Child Safe Environments: Principles of Good Practice*
- SA Department for Families and communities – *Child Safe Environments: Dealing with Criminal History Information*
- *Approved Providers of Australian Government Subsidised Aged Care Services – Fact Sheet* www.health.gov.au

Authority:	Adopted by Council: 10/10/2011	{Motion	No	19c/102011}
	Reviewed by Council: 10/11/2015	{Motion	No	7c/112015}

SIGNED:
Responsible Officer	Chairperson, OHS&W Committee
Date: ____/____/____	Date: ____/____/____

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