

Fact Sheet 1

Child Safe Environments

Ensuring children's safety and well-being is the shared responsibility of the whole community.

It is important for any organisation providing services to children and young people to consider what it can do to ensure it is a safe and welcoming place for the children and young people it serves.

In South Australia, the Children's Protection Act 1993 requires certain organisations to put in place policies and procedures to establish and maintain safe environments for children.

The focus of child safe environments is not simply to minimise risk or danger. Rather it is about building an environment which is both child safe and child friendly, where children are valued and feel respected and encouraged to participate and reach their full potential.

A commitment to the safety of children and young people should be embedded in every organisation's culture, reflected in their policies and procedures and understood and practiced at all levels of the organisation.

What organisations are required to establish Child Safe Environments?

All organisations that provide health, welfare, education, sporting or recreational, religious or spiritual child care, residential or overnight care services wholly or partly for children must take steps to establish a child safe environment.

From 11 April 2015, this requirement will also apply to organisations that provide cultural, entertainment or party services wholly or partly for children.

'Organisation' in this context includes a wide range of state government, local government and non-government bodies who work with children and include businesses, services providers and incorporated and unincorporated groups.

An organisation may also consist of a single person (e.g. a sole trader) or partnership.

What do these organisations need to do?

To establish a safe environment for children, organisations must:

- develop policies and procedures to establish and maintain a child safe environment
- meet "relevant history information" requirements applicable to their organisation type for people working with children in prescribed positions; and
- lodge a Child Safe Environment Compliance Statement with the Department for Education and Child Development (DECD).

Policies and Procedures

Child safe environment policies and procedures developed by the organisation must be of a standard set by DECD (Families SA). This standard is set out in the Child Safe Environments: Principles of Good Practice.

Child safe environment policies and procedures do not need to be 'stand-alone' and can be incorporated into an organisation's overall policy framework.

Information, resources and guidance to assist organisations to establish and maintain child safe environments is available from www.families.sa.gov.au/childsafes

Relevant History Information – employees, volunteers and contractors

Organisations must ensure that before they appoint or engage any person to perform one or more prescribed functions as:

- an employee
- a volunteer
- a contractor
- a sub-contractor or
- an agent

an assessment of the person's relevant history is conducted (unless an exemption applies). Assessments must then occur at three yearly intervals.

Prescribed functions are

- regularly working with or in close proximity to children unless the work is directly supervised at all times
- supervising or managing people who work with or in close proximity to children
- providing overnight care for children and
- having access to certain records relating to children.

Assessments may be conducted by the organisation itself on the basis of a national police certificate and any information provided by the applicant, or by an authorised screening unit. In all cases, assessments must be conducted in accordance with Standards issued by the Department for Education and Child Development.

Please see Fact Sheet 4 for further information about conducting relevant history assessments.

Relevant History Information – sole traders, people working in partnerships and responsible authorities

From 11 April 2015, certain sole traders, people working in partnerships and people who are responsible authorities of an organisation will be prohibited from performing a prescribed function unless

- an assessment of the person's relevant history has been undertaken by an authorised screening unit within the preceding three years; or
- the person has obtained a criminal history report prepared by South Australia Police or Crim Trac within the preceding three years.

This applies to those people who provide a health, welfare, education, sporting or recreational, religious or spiritual child care, cultural, entertainment, party, residential or overnight care service wholly or partly for children

These people will also be required to provide evidence of their compliance with this requirement upon written request by a parent, guardian or carer of a child who is or may be receiving the service.

Please see Fact Sheet 5 for further information about the obligations of sole traders and people working in partnerships.

Child Safe Environment Compliance Statement

Organisations (including sole traders and partnerships) must lodge a statement with the Department for Education and Child Development about their child safe environment policies and procedures.

A child safe environment compliance statement lodgement form is available from Families SA and sets out the minimum standards organisations must meet in order to establish a child safe environment.

Failure to comply with these requirements may incur a maximum penalty of up to \$10,000.

Organisations can go to www.families.sa.gov.au/childsafeto to complete and lodge their statement online.

Alternatively, organisations can download and post their compliance statement to Families SA.

Please see Fact Sheet 3 for further information about lodging a compliance statement.

Further information

Further information about establishing child safe environments, including guidelines, templates and other useful resources, is available from the

Families SA child safe website:
www.families.sa.gov.au/childsafeto

Email: DECDChildSafe@sa.gov.au

Phone: 08 8463 6468