



Safe Environment for Children & Young People Policy

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Responsible Officer	Chief Executive Officer
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1. Purpose

- 1.1 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.
- 1.2 In addition to the moral obligation to address any harm to children, amendments to the *Children 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.
- 1.3 This policy aims to ensure that children and young people are safe within the Council's organisation and facilities 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.

2. Scope

- 2.1 The policy applies 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.
- 2.2 Specific principles and responsibilities identified throughout this policy, particularly in terms of Prescribed Positions and Mandatory Reporters, are applicable to; Workers providing services wholly or partly to, or who work with or in close proximity to,

Vulnerable People or Children: Workers who have direct responsibility for, or direct supervision of, the provision of those services to Children and Young People, including but not limited to the following:

- 2.2.1 Library
- 2.2.2 Events
- 2.2.3 School holiday programs, events and activities
- 2.2.4 Community and Cultural programs
- 2.2.5 Immunisation services
- 2.2.6 Recreation centre programs and activities
- 2.2.7 Swimming centre programs, services and events
- 2.2.8 Youth Advisory Committees, services, events and programs

3. Definitions

- 3.1 **Abuse** includes any of the following:
 - 3.1.1 Sexual abuse of the child;
 - 3.1.2 Serious physical abuse of the child;
 - 3.1.3 Psychological abuse of the child related to sexual abuse or serious physical abuse of the child.
- 3.2 **CEO** means the Chief Executive Officer of the Council as defined under the *Local Government Act 1999*, or alternatively an officer delegated to act in that role.
- 3.3 **Child or young person** means a person under the age of 18.
- 3.4 **Council** means Clare & Gilbert Valleys Council.
- 3.5 **Harm** includes physical and psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental or emotional abuse caused by neglect.
- 3.6 **Institution** means an entity (whether private or public) that is responsible for a child and provides an activity, program or service of a kind that gives an opportunity for a person to have contact with a child; and does not include a family.
- 3.7 **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:
 - 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).

Prescribed positions may be held by employees, volunteers, contractors, persons undertaking educational / vocational training or Elected Members.
- 3.8 **Safety Act** means the *Children and Young People (Safety) Act 2017 (SA)*.

4. Legal Obligations

4.1 Child Safe Environments

Section 114(1) of the Safety Act requires Councils 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 Safety Act) are complied with.

The policies and procedures must comply with the [National Principles of Child Safe Organisations](#) issued by the Chief Executive of Department of Human Services as varied from time to time.

4.2 Mandatory Reporting

Section 30(3) 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:

- 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 abuse or neglect 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>.

All serious concerns must be reported via the phone line, **not** via the online e-CARL portal.

4.3 Reporting Suspected Child Sexual Abuse

Section 64A of the [Criminal Law Consolidation Act](#) makes it a criminal offence if an employee (this includes contractors, volunteers, students on placement) of the organisation knows, suspects, or should have suspected that another employee is engaging, or is likely to engage, in the sexual abuse of a child and does not report that knowledge or suspicion to the police.

There are significant legal protections for reporting the suspicion to police in good faith.

The maximum penalty for failing to report their suspicion to police is 3 years' imprisonment.

4.4 Failing to Protect a Child from Sexual Abuse

Section 65 of the *Criminal Law Consolidation Act* makes it a criminal offence if an employee of the organisation knows there is a substantial risk that another employee will engage in the sexual abuse of a child, and they have the power or responsibility to remove or reduce that risk, but negligently fail to do so.

It is not necessary for abuse to have already occurred. The maximum penalty for failing to protect a child accordingly is 15 years' imprisonment.

4.5 Duty of Institutions to Prevent Child Abuse

Under the Civil Liability (Institutional Child Abuse Liability) Amendment Act 2021 (CL Act), Council recognises its duty to take all reasonable steps to prevent child abuse in any child-related activity, program or service under its care, supervision, control or authority. This duty applies to all employees, volunteers, contractors, carers, delegates and other persons associated with Council services who may have contact with children.

Council is committed to maintaining robust child safe policies, procedures, codes of conduct, recruitment and screening practices, supervision, reporting mechanisms and governance controls to minimise risks to children and prevent opportunities for abuse or grooming.

Council acknowledges that under the CL Act, institutions may be held directly and vicariously liable for child abuse where reasonable preventative measures are not taken, including where abuse is perpetrated by persons acting in roles connected to the institution. Accordingly, Council will ensure ongoing oversight, monitoring and review of all child-related services and personnel to uphold child safety, respond promptly to concerns, and support the rights of children to protection and redress.

All people have a moral responsibility to ensure the safety of children. People who do not have a legal obligation to make notifications are encouraged to make voluntary notifications. If you have a reasonable, genuine concern that a child is at risk, and that concern does not clearly fall within one of the above exceptions, you must consider reporting that concern.

5. Application of the Policy

- 5.1 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.

6. 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 DHS on appropriate standards of conduct for adults in dealing with children.

6.1 Risk Management Strategy

- 6.1.1 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.

6.2 Codes of Conduct

- 6.2.1 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. Council's Working with Children / Safe Environment Code of Conduct can be found at Appendix B of this document.

- 6.2.2 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 Council's Safe Environment Contact Officer, WHS Coordinator 08 88426400. Email: admin@cgvc.sa.gov.au.
- 6.3 Recruitment, Selection and Enhancing Performance
- 6.3.1 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.
- 6.3.2 Applicants for prescribed positions will be screened for their suitability to provide services. Screening will involve WWCC checks, interviews, referee reports, checking qualifications and previous employment history in working with children.
- 6.3.3 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.
- 6.4 Involvement in decision-making
- 6.4.1 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 grievance procedures where relevant.
- 6.5 Responding to Harm or Risk of Harm
- 6.5.1 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.

7. Delegations

The Chief Executive Officer is accountable to Council and responsible for ensuring the policy is implemented, monitored, reported on and evaluated.

8. Policy Responsibility

The Director Corporate Services is responsible for ensuring the proper operation of this Policy.

9. Availability / Accessibility

- 9.1 [This Policy](#) and Council's [Fees & Charges Register](#) are available to be downloaded free of charge from Council's website: www.claregilbertvalleys.sa.gov.au.
- 9.2 This Policy is available for inspection at Council's offices during ordinary business hours. Hard copies, for a fee in accordance with Council's schedule of [Fees & Charges](#), can be provided upon request.

10. Legislative Framework / Other References

- [Children and Young People \(Safety\) Act 2017 \(SA\)](#);
- [Children and Young People \(Safety\) Regulations 2017 \(SA\)](#);
- [Child Safety \(Prohibited Persons\) Act 2016 \(SA\)](#); and

- [*Child Safety \(Prohibited Persons\) Regulations 2019 \(SA\)*](#),
- [*National Principles of Child Safe Organisations*](#)
- [*Civil Liability \(Institutional Child Abuse Liability\) Amendment Act 2021 \(SA\)*](#)
- *Criminal Law Consolidation Act 1935*
- [*State Records Act 1997*](#)

11. Document History

This Policy shall be reviewed at least every four (4) years or more frequently if legislation or Council requires.

Version	Adopted	Minute	Description of Change
1	20 November 2015		Adopted
2	7 December 2020	398-20	Major Review incorporating new Children and Young People Act Policy Adopted by Council
3	17 June 2026	157-26	Updated to new template. Reference to updated National Principles for Child Safe Organisations.



Roles and Responsibilities

Council is responsible for development of the “Child Safe Environment Policy” and in conjunction with the Chief Executive Officer and/or his or her delegates (where appropriate):

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

Council 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.

- Ensuring the policy is implemented, monitored, reported on and evaluated.
- Being aware of mandatory reporting requirements, procedures, and associated legal responsibilities.
- 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.

- Recruitment and selection in accordance with Council’s human resources policies and procedures and requirements for working with children and young people.
- Effective implementation of the policy, procedures and safe workplace practices.
- Being aware and promoting acceptable behaviour when dealing with children and young people.
- Providing appropriate induction and on-going training as required in relation to the Safe Environment Policy.
- Establishing and maintaining supportive procedures for fulfilling mandatory notification requirements and ensure mandated notifiers understand their legal responsibilities.
- Reporting any reasonable suspicion of harm they have towards a child or young person 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).
- Supporting staff and responding to enquiries regarding suspicions of abuse or related issues, maintaining appropriate records and ensuring records are securely stored.
- 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, young person or other vulnerable person if required.
- 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 or young person 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 notifiers, they are encouraged to seek advice and support from their supervisor and manager, or Safe Environment Contact Officer in relation to suspicions of harm or risk of harm towards a child. 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 who are 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.

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

In these cases, incidents of harm towards 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.



Working with Children / Child Safe 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 abuse and inappropriate behaviour.

This Code of Conduct has been drafted in accordance with section 114 of the South Australian *Children and Young People (Safety) Act 2017* and Clare & Gilbert Valleys Council *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 the Department of Human Services 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.

Supportive Behaviours

Staff, contractors, consultants, volunteers, elected members and those who access Council services must at all times:

- Treat children and young people with dignity, respect, sensitivity, fairness and equity
- Ensure children and young people are protected from any form of harm or discrimination
- 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:

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

Staff, contractors, consultants, volunteers and elected members with mandatory notification responsibilities must be aware of their duty to report to the Child Abuse Report Line (13 14 78) if they form a suspicion that a child or young person is at risk; 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.



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:

- where possible work in an open and visible environment when with children and young people;
- dress appropriately – for staff and volunteers, in accordance with Council's Dress Code Policy;
- secure parental/guardian consent for excursions or to obtain medical treatment for children and young people under 18 years if the need arises;
- adopt a calm and non-judgmental attitude to allow young people to feel safe to raise complaints or concerns; and
- 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.
- when taking images of children and young or vulnerable people:
 - The consent of a child, young or vulnerable person and their parent/guardian/carer is required
 - Disclosure will be made as to how the image is to be used if consent received.
 - Images must be presented in a way that does not identify the child, young or vulnerable person.

Unacceptable Behaviours include the following:

- Any form of discrimination against a child or young person based on ethnicity, culture, religion, gender, sexuality or on any other grounds.
- Hitting or physically assaulting a child or young person.
- Using language that is offensive, abusive or otherwise inappropriate.
- Showing preferential treatment to one child or young person over others.
- Shout, yell or speak to a child or young person in an angry, intimidating or threatening manner.
- Engaging in rough physical play with children or young people.
- 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.
- Condone or participate in illegal or unsafe behaviours when working with children or young people.
- 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.
- Initiating or engaging in 'friendship' relationships with a child or young person.

For example, it is not OK to make arrangements to socialise outside the work environment. Remember, children and young people are clients not friends.
- 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



- Acting in a manner that is sexually inappropriate – this includes verbal, physical and implied behaviours.
- Initiating or developing a physical/sexual 'relationship' with a child or young person.
- Initiating or developing any relationship that could be deemed or perceived as exploitative or abusive with a child or young person.
- Contacting, communicating or interacting with a child or vulnerable person by phone, email or social media.
- Failure to report disclosures, or suspicions, of harm (including abuse or neglect) to the relevant supervisor and/or the Child Abuse Report Line (CARL) on 13 14 78.

Breaches of Policy / Disciplinary Action

- All staff and volunteers, contractors, consultants and elected members have a responsibility for promoting and supporting these values and standards of behaviour.
- Where a staff member, volunteer, contractor, consultant, or elected member 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. For staff or volunteers, this disciplinary action may take the form of a warning, counselling or termination of their employment. For other categories, Council will take appropriate action relevant to that category.
- Breaches of this Code of Conduct will be investigated on a case-by-case basis and in accordance with the Council's Staff Performance Management and any other relevant Policy/ies.

Reporting – if you have a concern

- All staff, contractors, consultants, volunteers, elected members and those accessing Council services have a role in supporting this Code of Conduct by raising their concerns with the relevant Team Leader, Manager or General Manager. Any questions of compliance raised by Council Members, other staff or the community regarding the Code will be considered by the relevant General Manager or the Chief Executive.
- If you have any difficulties or questions regarding this Child Safe Code of Conduct, you should discuss these with the Team Leader, Manager, General Manager, or Child Safety Officer.



Mandatory (Child Harm) Reporting - Who Needs What Training?

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

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

- 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.
- 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.
- Staff and volunteers in other roles provide services **wholly** to children, such as immunisation services, childcare centres, children's library programs, education programs for children, and Youth Advisory Committees. Those involved in delivering these services are mandated notifiers.
- 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.

What are the training requirements?

Training is not compulsory or a legal requirement. However, the *National Principles for Child Safe Organisations* 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 have been accredited by the Department in accordance with these standards.

It is suggested that mandated notifiers undertake refresher training 3 years after the initial training, and every 3 years thereafter.



Managing the Risks of Abuse

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

Programs – the combination of activities, equipment and leadership

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

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

Premises – the physical environment in which activities are conducted

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

- 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.
- Access control, lighting, design of shower and toilet facilities when selecting locations to use for children's programs.
- 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.
- Indoor and outdoor areas should be adequately illuminated to enable observation of activities and discourage victimization attempts in parking lots or play areas.

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.



References and Contacts

Department of Human Services, Child Safe Environments

An extensive collection of Child Safe Environment references and resources on a range of topics is available on the Department of Human Services website under the heading [DHS - Child safe environments](https://dhs.sa.gov.au/services/community-and-family-services/child-safe-environments) (<https://dhs.sa.gov.au/services/community-and-family-services/child-safe-environments>)

Department for Child Protection, Child Abuse Report Line (CARL)

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. All serious concerns must be reported via the CARL (13 14 78) and must not be submitted online. Only reports not of a serious nature can be made on-line (e-CARL) at www.reportchildabuse.families.sa.gov.au

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.

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

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 the aged and frail, or people with a disability. Although the SAPOL site refers to such checks being used for work with children, they do not in any way remove or undermine the requirements for WWCC checks required by the legislation.

For further information contact 8204 2438, visit <https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check/volunteer-organisation-authorisation-number> or email SAPOLrecords@police.sa.gov.au

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