

Child-safe environments
OUR COMMUNITY RESPONSE TO CHILD ABUSE AND NEGLECT



GUIDELINES

For mandated notifiers and
information for organisations

Child Abuse Report Line

13 14 78



Government of South Australia

Department for Education and
Child Development

Child-safe environments

OUR COMMUNITY RESPONSE TO CHILD ABUSE AND NEGLECT

Guidelines for mandated notifiers and information for organisations

Department for Education and Child Development

ISBN 1 920983 29 5

1. Child abuse - Reporting - South Australia.
2. Child abuse - Law and legislation - South Australia.
- i. Title. 362.7663099423

© Department for Education and Child Development – April 2017

MINISTER'S FOREWORD

Keeping our children safe is our priority in South Australia.



We all have a responsibility to look out for the welfare of children – our next generation of South Australians.

As employees and volunteers in organisations providing services to children and their families, you have a legal obligation under the *Children's Protection Act 1993* to report child abuse or neglect.

Your interaction with children and their families uniquely places you to see and hear things others don't – and that may include disclosures or observations of abuse or neglect.

This booklet provides practical and clearly written information to support you to fulfil this important responsibility. It outlines the steps to identifying and responding to suspected child abuse and neglect and also provides guidance to your organisation in establishing policies and procedures to promote children's safety and welfare.

Creating child-safe environments is more than eliminating risk or danger. It's about building places where children – as well as mums, dads and carers – feel valued, respected and supported to reach their full potential.

Keeping children safe and nurtured is both a great privilege and a great responsibility. Thanks to you and your organisation for taking on this role – and being adults on whom children can rely. I assure you your commitment to supporting South Australian children to have the best chance to grow into happy, healthy adults is very much appreciated by the State Government.

The Honourable Susan Close MP
Minister for Education
and Child Development

CONTENT

USING THIS BOOKLET3

PART 1:

MANDATED NOTIFICATION5

What does the legislation say about who is required to notify?.....5

Legal definitions of child abuse and neglect6

When to notify7

What is child abuse and neglect?.....7

Why the obligation to help?9

Helping a child whom you suspect has been abused or neglected10

Your rights and responsibilities.....11

What information is needed to report to the Child Abuse Report Line?.....12

Training16

PART 2:

CHILD-SAFE ENVIRONMENTS IN ORGANISATIONS.....17

Child-safe environments in organisations.....19

Child-safe environments – Principles of good practice.....20

Child-safe environments – Conducting relevant history assessments23

Child-safe environments – Lodging a compliance statement27

INFORMATION, COUNSELLING AND RESOURCE SERVICES28

USING THIS BOOKLET

Children have the right to be emotionally and physically safe from harm at all times. The Children's Protection Act 1993 recognises that organisations and individuals both have a role to play in keeping children safe and protected.

This booklet is designed to assist:

- ✘ people who come into contact with children and who are required by law to report concerns of child abuse and/or neglect (mandated notifiers)
- ✘ organisations that are required by law to develop policies and procedures to establish and maintain child-safe environments.

Keeping children and young people safe involves more than just reporting concerns to the Department for Child Protection or responding once an allegation of abuse or neglect is made. It means:

- ✘ minimising the possibility of child abuse occurring in the first place
- ✘ working to reduce the impact of child abuse and neglect after it has occurred
- ✘ doing everything possible to ensure it does not occur again
- ✘ providing ongoing support and services to children, young people and adults as appropriate.

Organisations that provide services to children and young people have a special responsibility to promote and enhance children's safety, wellbeing and rights. This involves creating an environment that is both child-safe and child-friendly. By taking steps to identify and minimise risks to the safety and protection of children and promoting a culture that respects children and young people as valued participants and consumers of their services, organisations can play an important role in caring for children, identifying vulnerable children, supporting children who have been abused and preventing further harm to children.

This booklet has been designed in two parts:

- **Part One** informs you about your obligations as a mandated notifier
- **Part Two** looks at the expectations of organisations in keeping children safe.

PART 1: MANDATED NOTIFICATION

What does the legislation say about who is required to notify?

Under sections 11(1) and (2) of the *Children's Protection Act 1993*, certain people are obliged by law to notify the Department for Child Protection via the Child Abuse Report Line if they suspect on reasonable grounds that a child/young person has been or is being, abused and/or neglected and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.

In South Australia, anyone under the age of 18 is classified as a 'child or young person'.

The person must notify the Child Abuse Report Line of that suspicion as soon as practicable after they form the suspicion. Section 11 (2) establishes that the following persons are mandated notifiers:

- Medical practitioner
- Pharmacist
- Registered or enrolled nurse
- Dentist
- Psychologist
- Police officer
- Community corrections officer (an officer or employee of an administrative unit of the Public Service whose duties include the supervision of young or adult offenders in the community)
- Social worker
- Minister of religion
- a person who is an employee of, or volunteer in, an organisation formed for religious or spiritual purposes
- Teacher in an educational institution (including a kindergarten)
- Approved family day care provider
- any other person who is an employee of, or volunteer in, a government or non-government organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children, being a person who:–
 - is engaged in the actual delivery of those services to children
 - holds a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children.

Section 11 also states:

- 11(3) A notification under this section must be accompanied by a statement of the observations, information and opinions on which the suspicion is based.
- 11(4) This section does not require a priest or other minister of religion to divulge information communicated in the course of a confession made in accordance with the rules and usages of the relevant religion.
- 11(5) A person does not necessarily exhaust their duty of care to a child by giving a notification under this section.
- 11(6) A person must not threaten or intimidate, or cause damage, loss or disadvantage to, a person to whom this section applies because the person has discharged, or proposes to discharge, their duty under subsection(1).

Maximum penalty: \$10 000.

Legal definitions of child abuse and neglect

Legal definitions of the *Children's Protection Act 1993* define the type of abuse or neglect in which the state has authority to intervene.

Section 6 (1) states that **abuse or neglect** in relation to a child means:

- a. sexual abuse of the child; or
- b. physical or emotional abuse of the child, or neglect of the child, to the extent that:
 - i. the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or
 - ii. the child's physical or psychological development is in jeopardy.

When to notify

As a mandated notifier, you are obliged to notify the Department for Child Protection through the Child Abuse Report Line when you have suspicion on reasonable grounds that a child has been, or is being, abused and/or neglected.

Reasonable grounds to report suspected abuse and/or neglect may include:

- ↘ when your own observations of a particular child's behaviour and/or injuries, lead you to suspect a child is being abused or neglected
- ↘ when a child tells you they have been abused
- ↘ a child telling you that they know of someone who has been abused (they may possibly be referring to themselves)
- ↘ when your own observations about the behaviour of the child, or their adult caregiver/s, give you cause to suspect that a child is being, or is at risk of being, abused or neglected
- ↘ when you hear about it from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of a child who is at risk.

What is child abuse or neglect?

In South Australia, child abuse or neglect is categorised in four ways.

1. Physical abuse

This is commonly characterised by physical injury resulting from:

- ↘ hitting, punching, kicking (eg, marks from belt buckles, fingers)
- ↘ shaking (particularly young babies)
- ↘ burns (eg, irons, cigarettes)
- ↘ biting
- ↘ pulling out hair
- ↘ the administration of alcohol or other drugs.

2. Sexual abuse

This occurs when someone in a position of power to the child uses that power to involve the child in sexual activity. It can include:

- ↘ sexual suggestion
- ↘ exhibitionism, mutual masturbation, oral sex
- ↘ showing of pornographic material (eg, DVDs, internet, mobile phones)
- ↘ using children in the production of pornographic material
- ↘ penile or other penetration of the genital or anal region
- ↘ child prostitution.

3. Emotional abuse

This tends to be a chronic behavioural pattern directed at a child so that a child's self-esteem and social competence are undermined or eroded over time. It can include:

- ↘ devaluing (eg, "You're hopeless, useless, stupid")
- ↘ ignoring (parent or carer is psychologically unavailable to the child)
- ↘ rejecting (telling a child in varying ways they are unwanted)
- ↘ corrupting (to allow children to participate in immoral or criminal acts)
- ↘ isolating (limits normal social experiences)
- ↘ terrorising (may single out or threaten with punishment or death)
- ↘ domestic violence in the child's presence.

4. Neglect

This is characterised by the ongoing failure to provide for the child's basic needs which has a detrimental impact on the child's physical and/or psychological development and wellbeing.

Neglect may include:

- ↘ inadequate supervision of young children for long periods of time
- ↘ failure to provide adequate nutrition, clothing or personal hygiene
- ↘ failure to provide needed or adequate health care or medical treatment
- ↘ disregard for potential hazards in the home
- ↘ forcing a child to leave home at a young age
- ↘ allowing a child to engage in chronic truancy.

Why the obligation to help?

The purpose of imposing a legal obligation on certain people who work with children in our community is simply to protect children from harm. Early identification of abuse and/or neglect can ensure that families are assisted in meeting their responsibility for their children's safety.

The *Children's Protection Act 1993* lists the range of people who are mandated notifiers, recognising the multiple contexts in which children participate and the varying roles of community members in children's lives.

When a family cannot protect their children, the Department for Child Protection has **the statutory mandate** to assist with the provision of care and protection, or to seek alternative care for the children.

The long-term effects of child abuse and/or neglect take an enormous toll that can be suffered by current generations, as well as future generations, and by society as a whole.

Child abuse and/or neglect can be prevented. Identification and reporting of child abuse and/or neglect may be the beginning of the intervention and prevention process.

By protecting children and helping their families, future abuse and/or neglect can be reduced, perhaps even eliminated, and the intergenerational cycle of abuse and/or neglect can be broken.

Failure to notify suspected abuse and/or neglect is an offence under the *Children's Protection Act 1993* and carries a maximum penalty of a \$10 000 fine.

Helping a child whom you suspect has been abused or neglected

When a child tells you that they have been abused, they may be feeling scared, guilty, ashamed, angry and powerless. You in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes, disbelief.

It is important for you to remain calm and in control, and to reassure the child that they have done the right thing by telling somebody about what is happening. Let the child know that you are willing to listen and that you want to try to help. It is important that you respond to the child appropriately.

You should:

- ↳ listen carefully
- ↳ tell the child that you believe them
- ↳ reassure the child that the abuse is not their fault; and
- ↳ tell the child that you are pleased to have been told.

When talking to the child it is important that you:

- ↳ don't make promises that you cannot keep, such as promising that you will not tell anyone
- ↳ never push the child into giving details of the abuse. Your role is to listen to what the child wants to tell you. Do not ask leading questions or attempt to investigate what has been said.

Your legal obligation is to inform the Child Abuse Report Line of your suspicion on reasonable grounds, as soon as possible.

Although only mandated notifiers have a legal responsibility to make reports, **everybody has a moral responsibility** to report suspected child abuse and/or neglect.

Your rights and responsibilities

As a mandated notifier:

- ✎ it is your personal responsibility to report suspected abuse and/or neglect – it is not the responsibility of your employer, manager or supervisor
- ✎ you do not have to be able to prove that abuse has occurred
- ✎ you must accompany your notification with a statement of the observations, information and opinions on which your suspicion is based
- ✎ you are immune from civil liability for reporting your suspicion in good faith (Section 12(a) and (b) of the *Children's Protection Act 1993*).

As a mandated notifier, a person must not threaten or intimidate you, or cause damage, loss or disadvantage to you because you have reported, or propose to report, suspected abuse or neglect (*Children's Protection Act 1993*, section 11(6)).

What information is needed to report to the Child Abuse Report Line?

It is not essential that mandated notifiers have all the information contained on this list before making a report. However, the more information that is provided to the Child Abuse Report Line, the better informed the response will be to the child/ren of concern.

Details of the child/ren and their family:

Child/ren, siblings and parents

- ↘ Full name (including any other surnames they are known by)
- ↘ Date of birth/age
- ↘ Current address, phone number
- ↘ School
- ↘ Ethnicity (eg, Aboriginal, Kinship group, non-English speaking)
- ↘ Alleged perpetrator's name, age, address, relationship to the child/ren, current whereabouts
- ↘ Current whereabouts of the child who is, or children who are, of concern
- ↘ Details of when the next expected contact with the alleged perpetrator will occur (if they are not living together).

Notifier details:

- ↘ Full name, job title and agency (if applicable), address and phone number
- ↘ Relationship of notifier to the child/ren of concern
- ↘ The type of contact that the notifier has with the family and how frequently
- ↘ Whether the notifier is working with the child or the family, and if so, in what capacity.

Details of concerns:

- ↘ Specific details about the allegations
- ↘ If the child disclosed, what did they say and what was their emotional presentation?
- ↘ Who saw or heard what and when?
- ↘ Size and location of injuries if any, with descriptions of any bruising
- ↘ Whether the child has been seen by a doctor and if so, the doctor's name and contact number
- ↘ Describe any caregiver behaviour that is of concern, including how often and how severe
- ↘ Describe any behaviour by the victim(s) that is of concern, including how often it occurs

- ↘ If the notifier is a police officer reporting domestic violence, include:
 - whether there has been previous South Australia Police (SAPOL) contact with the family or alleged perpetrator regarding domestic violence
 - the SAPOL Domestic Violence Risk Assessment Score including the numerical value (eg, 38) and the risk level (ie, standard, medium or high), and whether an intervention order has been issued
 - any other information about the risk assessment. For example, it may be your opinion that the risk assessment score may not be an accurate reflection of the actual level of risk due to the victim providing very limited information to SAPOL due to fear.

Other details:

- ↘ Whether the parents are separated
- ↘ If any Family Court orders are in place and if so, what they relate to
- ↘ If the custodial/non-custodial parent has a partner provide her or his name
- ↘ What is known about the functioning of the family
- ↘ Domestic violence
- ↘ Drug/alcohol use or abuse
- ↘ Violence to people outside of the family
- ↘ Relevant health factors
- ↘ Extended family or other support networks
- ↘ Child care arrangements
- ↘ Nature of involvement with any agencies
- ↘ Mental health problems and/or
- ↘ Physical or intellectual disability.

Before concluding the call:

- ↘ What prompted you to call today (if this is not already obvious)
- ↘ Whether caregivers are aware a report is being made
- ↘ Whether you, as the notifier, have given any expectations of action to the child/ren.

Confidentiality of notification of abuse or neglect

Under Section 13 of the *Children's Protection Act 1993*, your identity as a mandated notifier will not be disclosed except:

- ↘ in the course of official duties to another person acting in an official capacity (eg, police acting in the matter of a criminal prosecution), or
- ↘ when the court deems the identity of the notifier to be evidence of critical importance to legal proceedings, or
- ↘ if you have consented to the release of your name.

Following a notification

To determine if departmental intervention is warranted, an initial assessment of the reported concerns is made by the Child Abuse Report Line. The assessment is based on the following:

- ↘ The immediate safety of the child (ie, is the child in imminent danger?)
- ↘ The alleged harm
- ↘ The alleged abusive incident(s) or neglectful condition(s)
- ↘ The likely risk of future harm
- ↘ The age and vulnerability of the child
- ↘ The behaviours / characteristics of the parent or caregiver
- ↘ The protectiveness of the parent or caregiver
- ↘ The access the alleged perpetrator has to the child
- ↘ Any previous known Child Protection history.

Where it is assessed that the concerns meet the criteria for a child protection response, the Child Abuse Report Line makes a recommendation to the responsible Department for Child Protection Office regarding the type of response the notification should receive and how quickly the investigation, assessment or other response should be commenced.

Notifying the Child Abuse Report Line of your suspicions is a legal requirement. However, section 11(5) of the *Children's Protection Act 1993* recognises that making a notification does not necessarily exhaust your duty of care to the child and their family. You should consider how you or your organisation might be able to continue helping the child and their family once a report has been made.

There are also other agencies that may also be able to help. A list of these agencies is available from **www.childprotection.sa.gov.au**

Feedback to mandated notifiers

Mandated notifiers are entitled to feedback. However, this is on a need-to-know basis. The information provided is dependent on the role and relationship the family has with the mandated notifier.

For example, a professional with an ongoing relationship with the child may be entitled to request information regarding proposed plans for future intervention with the child, and the possible role they may take as a part of this proposed intervention.

Training

Many organisations adopt a best practice approach to training and as part of their child-safe environment policies and procedures require staff and volunteers to complete the Child-safe environments - *Our community response to child abuse and neglect* training.

This training is NOT a legal requirement but is an effective way to educate notifiers to recognise and respond to suspected child abuse or neglect.

South Australia has been offering state-wide training of mandated notifiers since 1989. A Department for Education and Child Development Child-safe environments - *Our community response to child abuse and neglect* seven-hour training program is offered by approved trainers throughout South Australia. www.decd.sa.gov.au/child-protection/child-safe-environments/obligations-mandatory-notifiers-and-child-safe-organisations-0 and click on the link to Training for Mandated Notifiers – *Our community response to child abuse and neglect*.

A Train-the-Trainer program, to train individuals to deliver the child-safe environments seven-hour program, is facilitated by the Department for Education and Child Development (DECD) Child Safe Environment team.

If you wish to enquire about the Train-the-Trainer program, contact the Department for Education and Child Development (DECD) Child Safe Environment team on:

Phone: 8226 2326

Email: decdfamiliescsetraining@sa.gov.au

PART 2: CHILD-SAFE ENVIRONMENTS IN ORGANISATIONS

Child protection legislation in South Australia has traditionally supported statutory authorities, such as the Department for Child Protection and SAPOL, in ensuring the safety, care and protection of children who have been abused and/or neglected. Under the *Children's Protection Act 1993* the Department for Child Protection, has authority to take action in response to a notification of suspected abuse or neglect of a child.

The role of other organisations has been primarily linked to mandatory notification and in partnering with statutory authorities for the purpose of investigating child abuse and/or neglect.

In recognition of the important role many government and non-government organisations play in helping to keep children safe and protected, the *Children's Protection Act 1993* was amended to require certain organisations to take steps to establish and maintain a safe environment for children. This requirement applies to all organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, child-care, cultural, entertainment, party, or residential services wholly or partly for children and young people.

The Department for Education and Child Development, has a responsibility for guiding these organisations to adopt a child-safe and child-friendly approach to service provision.

This includes promoting proactive strategies to prevent child abuse and/or neglect, as well as providing guidance to assist organisations to put in place appropriate processes to support children and young people.

Sharing responsibility for the care and protection of children helps to challenge the unrealistic expectation that the Department for Child Protection can, on its own, protect all children.

It is important that organisations also recognise that where a mandated notifier's report has been made, notifiers and organisations may still have an important role to play in supporting and working with the child/ren, young people and their family.

“The focus of a child-safe organisation is not simply to create an environment that minimises risk or danger. Rather it is about building an environment which is both child-safe and child-friendly, where children feel respected, valued and encouraged to reach their full potential.”

Child-Safe Environments: Principles of Good Practice,
Department for Education and Child Development 2012
(page 5)

Child-safe environments in organisations

Child-friendly organisations contribute to a child-safe community. The safety, protection and participation of children and young people should be firmly embedded in the culture and practices of all organisations that provide services to them.

Many organisations in South Australia have a legal requirement to develop policies and procedures to establish and maintain a child-safe environment.

Child-safe organisations:

- “take a preventative, proactive and participatory stance on child protection issues”
(Childwise, 2004)
- value and embrace the opinions and views of children
- encourage and assist children to build skills that will assist them to participate in society
- are sensitive to and focused on the protection of children
- take action to protect children from harm.

Implementing child-safe policies and practices has benefits for everyone involved in the organisation as they:

- support awareness, well-being and active participation of children and young people accessing the service
- increase awareness of strategies for providing more ‘child and youth-friendly’ experiences
- raise staff and organisational awareness of possible risks to children and young people and encourage planned responses to minimise these risks
- provide a framework for staff and volunteers to consider and communicate issues relating to children’s safety and wellbeing
- support awareness and knowledge of mandated notification responsibilities.

When organisations promote a culture in which children and young people are safe, protected and encouraged to actively participate and express their views, children and young people are more likely to speak up in the event they feel unsafe or are being hurt in any way.

Child-safe environments – Principles of good practice

To assist organisations to establish and maintain child-safe environments, seven principles of good practice have been issued pursuant to section 8A of the *Children’s Protection Act 1993*. In developing policies and procedures for establishing and maintaining child-safe environments, organisations should ensure that they address these good practice principles.

Principle 1: Identify and analyse risk of harm

The organisation develops and implements a risk management strategy that identifies, assesses and takes steps to minimise the risks of harm to children because of the action or inaction of an employee, volunteer, or another child.

This includes a review of existing child protection policies and practices to determine how child-safe and child friendly the organisation is and the development of strategies to minimise and prevent risk of harm to children.

Principle 2: Develop a clear and accessible child-safe policy

The organisation has a child-safe environments (child protection) policy that outlines its commitment to promoting children’s wellbeing and safeguarding children from harm.

The child-safe policy should be supported by appropriate procedures and guidelines. For government – funded organisations, these should include the Cabinet – endorsed Information Sharing Guidelines, available from Ombudsman SA, www.ombudsman.sa.gov.au/isg/

Principle 3: Develop codes of conduct for adults and children

The organisation has a code of conduct that specifies standards of conduct and care when dealing and interacting with children, particularly those in the organisation’s care. The organisation also has a code of conduct to address appropriate behaviour between children.

The code(s) of conduct set out professional boundaries, ethical behavior and unacceptable behaviour.

Principle 4: Choose suitable employees and volunteers

The organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions). This is more likely to be achieved using a range of screening and relevant history assessment measures. Such measures aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Where relevant history assessments are required by law, the organisation must ensure that a satisfactory relevant history assessment is conducted for each person undertaking prescribed functions at agency defined intervals up to a maximum validity period of three years. www.decd.sa.gov.au/child-protection/child-safe-environments/how-conduct-relevant-history-assessment

Principle 5: Support, train, supervise and enhance performance

The organisation ensures that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

Training and development opportunities available for staff and volunteers will depend on the size, nature and resources of the organisation. Some examples include:

- ↘ ensuring staff and volunteers have read and understood this booklet
- ↘ offering child-safe environments-Reporting Child Abuse and Neglect training for staff and volunteers working with children
- ↘ utilising the free online SMART (Strategies for Managing Abuse related trauma) learning package developed by the Australian Childhood Foundation (www.childhood.org.au)
- ↘ providing regular supervision and performance appraisal.

Principle 6: Empower and promote the participation of children in decision-making and service development

The organisation promotes the involvement and participation of children and young people in developing and maintaining child-safe environments. Good practice examples include:

- ↳ adopting a child rights approach to service delivery
- ↳ encouraging and acting on children's participation, comments and feedback
- ↳ ensuring children are aware of their rights, available complaints procedures and how they can access help and advice
- ↳ providing leadership and development opportunities for children and young people

Principle 7: Report and respond appropriately to suspected abuse and neglect (mandatory reporting)

The organisation ensures that volunteers and employees are able to identify and respond to children at risk of harm.

The organisation makes volunteers and employees aware of their responsibilities under the *Children's Protection Act 1993* if they have suspicion on reasonable grounds that a child has been or is being abused or neglected. This means that organisations must ensure that their staff and volunteers are aware of their obligations as mandated notifiers and have appropriate skills and knowledge to discharge their responsibilities.

Undertaking formal Child safe environments – *Our Community response to child abuse and neglect* training is not a legal requirement but is one way to educate mandated notifiers about their obligations under the Act. For additional strategies, refer to Principle 5 or the child-safe website.

For further information and resources about establishing and maintaining a child-safe environment within organisations, go to www.decd.sa.gov.au/child-protection/child-safe-environments

Child-safe environments – Conducting relevant history assessments

A relevant history assessment informs the decision about whether a particular person may pose a risk to the safety of children if appointed to, or engaged to act in, a prescribed position. This decision is made on the basis of the person's relevant history (if any) and the assessed risk to children and young people served by the organisation.

Relevant history assessments help organisations to decide who is suitable to work with children and young people and to manage the risks associated with engaging people in this work. Implemented alongside other strategies to help keep children safe from harm, relevant history assessments are an important strategy for establishing and maintaining child safety in an organisation.

The *Children's Protection Act 1993* requires organisations providing health, welfare, education, sporting or recreational, religious or spiritual, child-care, cultural, entertainment,

party, or residential services wholly or partly for children to conduct relevant history assessments for people working or volunteering with children in prescribed positions.

This includes any person who:

- ↘ has regular contact with children and is not directly supervised at all times
- ↘ works in close proximity to children on a regular basis and is not directly supervised at all times
- ↘ supervises or manages persons who:
 - have regular contact with children; or
 - work in close proximity to children on a regular basis; or
- ↘ has access to certain records relating to children.

Exemptions from this requirement do apply in some circumstances. However, in most circumstances, organisations may still require people occupying prescribed positions to undergo assessments if it is considered necessary or desirable for establishing a child safe environment.

Further Information

Further information is available from www.decd.sa.gov.au/child-protection

Alternatively, email decdchildsafesa.gov.au

There are three ways an organisation can ensure that a relevant history assessment is conducted for people working with children in prescribed positions:

1. Obtain child-related employment screening from the Department for Communities and Social Inclusion (DCSI) Screening Unit

An organisation may direct its staff and volunteers to apply to the DCSI Screening Unit for a child-related employment screening. Information about the Screening Unit is available from www.dcsi.sa.gov.au/services/screening

2. Obtain a national criminal history record check and conduct the assessment yourself

To conduct a relevant history assessment, an organisation should ensure that a report is obtained on the criminal history (if any) of each person occupying or acting in a prescribed position. The report must be obtained from South Australia Police or an organisation that is accredited with the Australian Crime Commission (ACC).

In the majority of cases, a person will have no criminal history. In these cases, the assessment is successfully completed.

An organisation should document this outcome and no further action in respect to an assessment is required. Where an individual does have a criminal history, an organisation must assess this information in accordance with the Child-safe Environments: Standards for Dealing with Information obtained about a person's criminal history as part of a relevant history assessment, available at www.decd.sa.gov.au/child-protection/child-safe-environments and any information provided by the individual for the purpose of the assessment.

The standards set out the process an organisation must follow in order to assess a person's relevant history and arrive at a determination regarding the risk the person may pose to the safety of children if appointed to, or engaged to act in, a prescribed position.

3. Accept 'other evidence' and conduct an assessment yourself

A person working with children in an organisation may have previously obtained a criminal history report or letter of clearance for another purpose (such as employment or volunteering). In some situations an organisation can accept this evidence to assess the risk a person may pose to the safety of children if appointed to, or engaged to work in, a prescribed position.

Any of the following forms of evidence may be accepted to assess a person's suitability to work with children (provided it was obtained within the last three years):

- ✎ A national criminal history record check
- ✎ A child-related employment screening from the DCSI Screening Unit or a valid registration document from the Teachers Registration Board
- ✎ A current interstate working with children check.

Organisations will need to decide whether they will accept these types of evidence and communicate the decision to all members of the organisation and applicants. In all cases, the final decision of whether to engage or retain a person to work with children rests with the organisation. Organisations must retain appropriate records as evidence that decisions made are rigorous, defensible and transparent. Fees and charges for obtaining relevant history information (including criminal history reports) do apply.

The Government is meeting the cost of obtaining criminal history reports for some volunteers who work with children in volunteer organisations through the Volunteer Organisation Authorisation Number (VOAN) scheme. Information about the VOAN scheme is available from SAPOL.

What is the difference between a national criminal history record check and a relevant history assessment?

A national criminal history record check (also known as a National Police Certificate or National Police Check) provides a national summary of an individual's offender history. It does not make any assessment regarding the risk a person may pose to the safety of children.

A relevant history assessment requires an organisation to assess certain information about a person (including their disclosable criminal history) to make a decision about whether a person may pose a risk to the safety of children if appointed or engaged to act in a prescribed position.

To obtain a national criminal history record check, go to SAPOL at:

**[www.sapolice.sa.gov.au/
sapol/services/information_requests/
national_police_certificate.jsp](http://www.sapolice.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp)**

Or, to obtain a child related employment screening, contact the DCSI Screening Unit at:

www.dcsi.sa.gov.au/services/screening

Child-safe environments – Lodging a compliance statement

Under the *Children's Protection Act 1993*, all organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, childcare, cultural, entertainment, party, or residential services wholly or partly to children must lodge a statement setting out their child-safe environment policies and procedures with the Department for Education and Child Development.

The lodgement of compliance statements are a good opportunity for organisations to review their child-safe environment policies and procedures and ensure that they are up-to-date and well understood by everyone in the organisation. It also assists the department to monitor the progress of organisations towards implementing child-safe environments and to identify areas where further information and support may be required.

Organisations must demonstrate that their child-safe environment policies and procedures are of a standard set by the Department for Education and Child Development. A lodgement form is available from the department's website. The form can also be completed and submitted online at

www.decd.sa.gov.au/child-protection/child-safe-environments/lodging-child-safe-environment-compliance-statement

Organisations must lodge a compliance statement with the department within 10 days of putting their policies and procedures in place. Organisations may lodge a statement individually, or an umbrella or representative body may lodge a statement on their behalf.

The law also empowers the Chief Executive, Department for Education and Child Development, to seek further information from an organisation about its compliance with child safe environment requirements at any time through a written request.

Information about creating child-safe environments, including principles of good practice, fact sheets and templates, is available from the department's website.

Further Information

For further information contact DECD

Web: www.decd.sa.gov.au/child-protection/child-safe-environments

Email: decdchildsafes@sa.gov.au

INFORMATION, COUNSELLING AND RESOURCE SERVICES

Child Abuse Report Line: 13 14 78

Parent Helpline: 1300 364 100

(Calls received between 7.15am-9.15pm will be answered by local helpline staff.

Calls received outside these hours will be automatically redirected to the Healthdirect Helpline).

Youth Healthline: 1300 131 719

Kids Helpline: 1800 55 1800

Yarrow Place Rape and Sexual Assault Services (SA):

- ↘ **Business hours** (9am-5pm): 8226 8777
- ↘ **Emergency after hours:** 8226 8787
- ↘ **Free Call:** 1800 817 421

Children's Protection Service:

- ↘ **Adelaide Women's and Children's Hospital:** 8161 7346
- ↘ **Flinders Medical Centre:** 8204 5485
- ↘ **Domestic Violence Gateway Helpline:** 1800 800 098 (24/7)
1300 782 200 (business hours)

Child and Adolescent Mental Health Service:

- ↘ **Northern Area:** 8161 7389
- ↘ **Southern Area:** 8204 5412

Nunkuwarrin Yunti: 8223 5217

Lifeline 13 11 14

(24 hour counselling service)

Crisis Care: 13 16 11

SAPOL: 13 14 44

Or contact your local police station for referral to the Family Violence Investigation Division in your region.

Legal Services Commission of South Australia

- ↘ **Legal Help Line:** 1300 366 424

Aboriginal Legal Rights Movement Inc:

- ↘ **Head office:** 321-325 King William Street, Adelaide SA 5000
- ↘ **Phone:** (08) 8113 3777
- ↘ **Freecall number:** 1800 643 222

Child Abuse Report Line

13 14 78



**Government
of South Australia**

Department for Education
and Child Development