

**AD 016 SAFE ENVIRONMENT POLICY**

Policy Type:	<i>Administration Policy</i>
Reference Number:	<i>AD 016</i>
Responsible Department:	<i>Corporate Services</i>
Responsible Officer:	<i>Human Resources Manager</i>
Legislation	<i>Child Protection Act 1993</i>
Relevant Delegations:	
Related Policies and Procedures	<i>Criminal History Check Policy</i>
Community Goal	<i>To develop measures to protect children and other vulnerable people from abuse or neglect when accessing services through the City of Unley</i>
Council Resolution:	
Date Adopted:	<i>May 2009</i>
Last Review Date:	<i>October 2011</i>
Review Date:	<i>October 2013</i>

**1. POLICY STATEMENT**

The City of Unley is committed to minimising the risk of harm to all children and vulnerable people who receive services or participate in programs developed by or on behalf of the City of Unley. This policy aims to ensure that all employees and volunteers are aware of their duty of care responsibilities for the protection, safety and wellbeing of children and other vulnerable people.

**2. PRINCIPLES**

All children and other vulnerable people who use the City of Unley's services and facilities have a right to do so within a safe and respectful environment.

The City of Unley will identify and assess potential sources of harm for children and other vulnerable people and, wherever practical, take action to decrease the likelihood that harm will occur to any child or vulnerable person using services provided by the City of Unley.

The City of Unley will ensure that all persons delivering services to children and other vulnerable people are made aware of the responsibilities contained in this policy.

## **Recruitment and Induction**

The City of Unley 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 and for positions working with children or vulnerable people will be screened for their suitability to provide services. Screening may involve obtaining a National Police Certificate, interviews, referee reports, and checking qualifications and previous employment history in working with children. If a National Police Certificate is obtained, information will be dealt with in accordance with the Criminal History Check Policy.

Positions covered by this policy will include, but will not necessarily be limited to, those positions associated with the delivery of:

- Child care centres and services.
- Library services and programs.
- Career and employment programs.
- School holiday programs.
- Recreation centre programs.
- Swimming pool programs.
- Youth advisory committees, youth services, events and programs.
- Home and Community Care programs.
- Services and programs for vulnerable people.

Attachment A provides a list of those positions that are 'prescribed positions' or those working with vulnerable people. This list may be added to or changed as required.

All applications for prescribed positions and positions working with vulnerable people shall comply with the Criminal History Check Policy.

Employees and volunteers who work with children on a regular basis shall attend training on mandatory reporting requirements as soon as is practicable and will be provided with ongoing training and support to ensure they fulfil their duty of care.

Relevant information relating to the requirement for mandatory reporting shall be incorporated within induction programs for prescribed positions.

The position description for all prescribed positions and positions working with vulnerable people shall include the responsibilities and obligations to act in accordance with the relevant requirements set out in this policy.

## **Mandatory Reporting and Training**

The City of Unley will fulfil all mandatory reporting obligations.

Mandated notifiers must report any suspicion of abuse or neglect of a child to the Department for Family and Communities Abuse Report Line. The Human Resources Manager and General Manager City Services shall also be informed when an incident has triggered mandatory reporting requirements.

## **Contractors and others**

The responsibilities of consultants, contractors, volunteers and labour hire personnel required to provide services to children and other vulnerable people will be included within their contracts.

## **Risk assessment**

There is a commitment by the City of Unley to develop an appropriate risk management framework for dealing with children and other vulnerable people. The risk management framework will take into consideration:

### a) Program management

Council will observe basic safety considerations which are aimed at limiting the opportunities for abuse, including:

- 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 afford for abuse.

### b) Management of physical environment

The City of Unley will manage the physical environment of programs as much as practicable to reduce the risks of abuse. The City of Unley will:

- consider safety and security in recreational areas where children and other vulnerable people gather, with regard to visual surveillance and lighting;
- consider access control, lighting, and design of shower and toilet facilities when selecting locations for programs for children and other vulnerable people;
- where practicable, have the ability to monitor people entering and leaving its programs;
- secure rooms and closets not in use to ensure children and other vulnerable people are not isolated; and
- ensure indoor and outdoor activity areas are adequately illuminated to enable observation of activities and discourage victimisation attempts in parking lots or play areas.

### c) Protective work practices

The City of Unley will strive to ensure protective work practices are in place to guide employees and volunteers in providing services to children and other vulnerable people. The City of Unley will:

- adopt a policy that does not permit physical punishment under any circumstances;
- prohibit out of program contact between staff/volunteers and participants, except with the express permission of parents or carers;
- limit the opportunity for one on one, close and unsupervised contact between workers and volunteers and children or other vulnerable people;
- gain consent of parents/care givers in advance if one on one unsupervised contact is to occur with children; and
- require that employees and volunteers report to supervisors/managers in advance if one on one unsupervised contact is to occur.

### **Auditing and reporting**

The City of Unley will regularly review the Safe Environment Policy and framework to assess its effectiveness.

### **Code of Conduct**

The City of Unley has developed and will promote a code of conduct for programs that deliver services to children and other vulnerable people.

## **3. POLICY OBJECTIVES**

This policy aims to minimise the risk of harm to children and other vulnerable people who receive services from the City of Unley, and to ensure that any suspected abuse or neglect of children and other vulnerable people is reported.

## **4. DEFINITIONS**

**Child** refers to a person under the age of 18.

**Child abuse and neglect** as defined under the Children's Protection Act 1993 (SA) relates to a child subjected to:

- sexual abuse; and
- 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.

**Safe Environment Contact Officers** are employees of the City of Unley who act as the point of contact for internal enquiries relating to the abuse of children or vulnerable people.

**Close proximity** means within eyeshot.

**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 or vulnerable person 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.

**Mandated Notifiers:** Under Section 11(1) and (2) of the Children's Protection Act 1993, mandated notifiers are obliged by law to notify the SA Department for Families and Communities if they suspect on reasonable grounds that a child/young person has been or is being abused 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. Section 11 (d) (j) identifies mandated notifiers specifically related to local government:

(j) Any other person who is an employee of, or volunteer in, a Government department, agency of instrumentality or local 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:

- (i) is engaged in the actual delivery of those services to children; or

- (ii) 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.

**Mandatory reporting obligation** means the incumbent of a prescribed position whose services are wholly or partly for *children* must under law report any suspicion of abuse or neglect of a child to the Department for Family and Communities Child Abuse Report Line.

**Prescribed position** is a position that requires or involves prescribed functions which involve any of the following:

- regular contact with children or working in close proximity to children on a regular basis;
- supervision or management of persons in positions requiring or involving regular contact with children or working in close proximity to children on a regular basis;
- access to records relating to children; and/or
- functions of a type prescribed by regulation.

Those in prescribed positions are otherwise known as mandated notifiers.

Identifying prescribed positions will involve consideration of the nature of the service provided (proximity or intimacy), the frequency (incidental contact, regular and/or ongoing contact), and the vulnerability of the child in the service provision context.

**Regular contact** includes contact that may facilitate instances where people deliberately use their position and status to access and exploit children or vulnerable people. For example:

- multiple instances of contact of limited duration (weekly group gathering) or
- fewer extended and intense periods of contact, possibly away from the children's/person's normal environment (day trip/overnight camp).

**Vulnerable people** refers to people who may be at risk of abuse or exploitation due to their dependency on others. This includes all children, people with a disability, the frail aged and people from culturally and linguistically diverse backgrounds.

## **5. ROLES AND RESPONSIBILITIES**

### **The Chief Executive Officer**

The Chief Executive Officer is responsible for:

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

### **Managers and supervisors (paid and voluntary)**

Managers and supervisors are accountable for:

- identifying prescribed or other positions for criminal history screening;
- recruiting and selecting in accordance with human resources policies and procedures and requirements for National Police Certificates of existing employees and preferred applicants for prescribed or other positions;
- effectively implementing the policy, procedures and safe work place practices;
- being aware and promoting acceptable behaviour when dealing with children and other vulnerable people;
- providing appropriate induction and on-going training as required in relation to the Safe Environment Policy;
- managing any complaints associated with their programs;
- establishing and maintaining supportive procedures for fulfilling mandatory notification requirements and ensuring mandated notifiers understand their legal responsibilities;
- reporting any reasonable suspicion of abuse of a child to the Child Abuse Report Line;
- supporting employees 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 of Families and Communities, the South Australian Police and other relevant government agencies in their investigations of suspected abuse of a child or other vulnerable person; and
- reporting annually to the Chief Executive Officer on implementation, monitoring and review of the policy and relevant services, programs and workplace practices.

### **General Managers and Organisational Development Manager**

In addition to their other responsibilities as Managers, the Organisational Development Manager and appropriate General Manager will be responsible for assessing National Police Certificates, where a criminal conviction is recorded.

General Managers will be responsible for ensuring significant changes to relevant legislation are brought to the attention of the relevant officer in a timely manner.

### **Mandated notifiers (paid employees and voluntary)**

Mandated notifiers have obligations under the Children's Protection Act 1993 (SA) to notify the SA Department of Families and Communities if they suspect, on reasonable grounds, that a child has been or is being abused or neglected and the suspicion is formed in the course of their work (paid or voluntary) in carrying out official duties.

Whilst the obligation to report suspicions of abuse rests with mandated notifiers, they are encouraged to seek advice and support from their supervisor, manager or Safe Environment Contact Officer. This practice will ensure employees and volunteers are appropriately supported, records are kept confidentially and securely, and any organisational responsibilities in addition to the mandatory reporting obligation are pursued where relevant.

Mandated notifiers are responsible for adhering to the Safe Environment Code of Conduct.

### **Other employees, volunteers, contractors and consultants (non-mandated notifiers)**

All employees, volunteers, contractors and consultants providing services on behalf of the City of Unley have a role to play in providing a safe environment for children, and other vulnerable people, and for complying with this policy.

The City of Unley strongly encourages and will sensitively support any employee, volunteer, contractor or consultant who, though not a mandated notifier as defined by the Children's Protection Act 1993 (SA), suspects incidents of abuse or neglect of a child.

Employees who suspect incidents of neglect or abuse of a child or other vulnerable person are to report to the relevant manager, who will, in consultation with the Human Resources Manager, determine the appropriate action to be taken. Where appropriate, reports will be made to the relevant authorities.

### **Safe Environment Contact Officers**

The Safe Environment Contact Officers are responsible for providing support and assistance to employees with mandatory reporting responsibilities and being a point of contact for employees in general regarding any issues relating to potential abuse of children or other vulnerable people.

### **Safe Environment Reference Group**

The Safe Environment Reference Group will:

- act as a think tank and sounding board to consider and finalise policies and procedures;
- ensure a Safe Environment Framework is developed, implemented, monitored and evaluated;
- take an active role in the implementation of Safe Environment initiatives;
- act as a point of contact for Safe Environment queries within the City of Unley,
- monitor changes to relevant legislation;
- educate employees on Safe Environment policies and procedures and promote Safe Environment initiatives;
- benchmark against external Safe Environment programs; and
- address ad hoc safe environment issues.

### **Third party responsibility**

The City of Unley will include a clause in contracts of engagement, leases and relevant hire agreements, stipulating requirements for compliance with the Safe Environment Policy. This relates to:

- contractors;

- licensees;
- lessees of premises/facilities belonging to the City of Unley; and
- hirers of facilities through the City of Unley.

**The City of Unley will:**

- disclose the policy;
- attach a copy of the policy to the contract, lease or hire agreements, or provide access to an electronic version;
- reserve within the clause a right to update the policy;
- insert within the clause a right to comply with the policy; and
- Insert within the clause an obligation to notify the Organisational Development Manager of instances of non-compliance with the policy.

**6. REFERENCES**

Child Safe Environments Policy – City of Charles Sturt

Child-Safe Environments - Reporting Child Abuse and Neglect – Guidelines for Mandated Notifiers

Mandatory Notification – Reporting Child Abuse and Neglect

Protecting Children and Other Vulnerable People Policy – City of Salisbury

SA Department for Families and Communities Child Safe Environments – Frequently Asked Questions

SA Department for Families and Communities Child Safe Environments – Principles of Good Practice

Safe Environment Policy – Model Framework for Local Government in SA

## **ATTACHMENT A**

### **Positions which require a National Police Certificate**

*\*Positions which also have mandatory reporting responsibilities*

#### **CITY SERVICES**

- \*General Manager, City Services
- \*Executive Assistant – City Services

#### **Community Development**

- \*Manager Community Development
- \*Cultural Development Coordinator
- \*Trainee Arts, and Cultural Development
- \*Youth Development Officer

#### **Community & Health Services**

- \*Administrative Officer – City Services
- \*Chief Environmental Health Officer
- \*Community Bus Coordinator
- Community Aides
- Community Care volunteers
- Community Harvest volunteers
- \*Community Services Officers
- Community Visitors Coordinator
- Community Visitors Scheme volunteers
- Coordinator of Volunteers
- HACC Project Support Officer
- Home Care Coordinator
- Home Services Officer
- Lifelinks volunteers
- \*Life Long Learning Officer
- Manager Community and Health Services
- Transport Support Services
- Unley Bus Service volunteers

#### **Community Centres**

- \*Clarence Park Child Care Centre volunteers
- Coordinator Citizens Centre
- \*Coordinator Clarence Park
- \*Coordinator Fullarton Park
- \*Coordinator Goodwood
- \*Fullarton Park casuals
- \*Goodwood casuals
- \*Team Leader Goodwood Community Centre

#### **Library**

- \*Administrative Officer – Library
- \* Children's Library Services Volunteers
- \*Collections Management Librarian
- \*Coordinator TOYS
- \*Customer Services Librarian
- \*Information and Technology Librarian
- \*Library Officers

- \*Library Officer – Systems Support
- \*Library Technician
- \*Manager Library
- \*Senior Project and Information Librarian
- \*Support Officer Library
- \*Toy Library Coordinator
- \*Toy Library Officers
- \*Toy Library Volunteers
- \*Youth and Children’s Librarian

### **Swimming Centre**

- \*Aqua Instructor
- \*Assistant Pool Manager
- \*Birthday Party Leader
- \*Café Attendant
- \*Café Coordinator Swimming Centre
- \*Duty Supervisors
- \*Manager Swimming Centre
- \*Pool Attendants
- \*Senior Pool Attendants
- \*Swimming Instructor

### **Museum**

- \*Museum Casual
- \*Museum Curator