Safe Environments: Children & Other Vulnerable People Policy

Strategic Reference	Outcome 3 - Community Strategy 2.3 – Continuous improvement in communications and engaging the community. Strategy 4.2 – Work with key stakeholders including State departments to provide safe communities. Outcome 5 - Leadership Strategy 3.1 – Council is an organisational leader, reinforcing our position as a leading local government body.
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Responsibility	Community & Corporate
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Applicable Legislation	**Commonwealth Legislation** Aged Care Act 1997 Commonwealth Aged Care Accountabilities Principles 1998 Commonwealth Child Safe Framework 2019 Disability Discrimination Act 1992 Disability Services Act 1993 National Principles for Child Safe Organisations 2019 Sex Discrimination Act 1992 **South Australian Legislation** Criminal Law Consolidation Act 1935 Children & Young People (Safety) Act 2017 Children & Young People (Safety) Regulations 2017 Child Safety (Prohibited Persons) Act 2016 Child Safety (Prohibited Persons) Regulations 2019 Local Government Act 1999
Related Policies	Behavioural Management Policy – Council Members Code of Conduct for Council Employees Human Resource Policy Volunteer Policy
Related Documents	LGA – Child Safe Environment Guidelines

1. Purpose

Coorong District Council is committed to the delivery of safe practices relating to children and vulnerable persons, thus ensuring that their safety and wellbeing in the interactions with Council. Council will take responsibility to provide and promote safe and nurturing environments to children and vulnerable persons.

This policy complies with our obligations under the:

- Children & Young People (Safety) Act 2017
- Child Safety (Prohibited Persons) Act 2016
- Disability Services Act 1993 and Disability Services (Assessment of Relevant History) Regulations 2014; and
- Aged Care Act 1997.

This policy also aligns with the National Principles for Child Safe Organisations.

Council supports the rights and wellbeing of our staff & volunteers and encourage their active participation in building and maintaining a secure environment for all children, young persons and other vulnerable people.

2. Scope

The policy is intended to apply to all Council employees, Elected Members, volunteers, contractors and consultants.

Children and vulnerable persons include:

- Children (under the age of eighteen [18] years of age); or
- People who may be at risk of exploitation due to their dependency on others. For example:
    - people with a disability (physical, intellectual or a mental illness);
    - the frail or aged;
    - young;
    - Indigenous Australians;
    - newly arrived immigrants;
    - refugees

3. Policy statement

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.

This policy aims to ensure the Council and its facilities are safe environments for children, young people and other vulnerable people and that they are protected from harm or risk of harm. This policy also aims to ensure that all relevant stakeholders are aware of their duty of care responsibilities for the protection, safety and wellbeing of children and vulnerable people at all times.

4. Definitions

"CARL" means the Child Abuse Report Line, phone 131 478, or online electronic notification through E-CARL at https://www.childprotection.sa.gov.au

"Child" means a person under the age of eighteen (18) years.

The Children & Young People (Safety) Act 2017 states that "***harm*** *or* ***risk of harm***" in relation to a child means:

- Sexual abuse; or
- Physical or emotional abuse, or neglect to the extent that:
  - the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or
  - physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.

"Mandatory reporting" means that a mandated notifier has an obligation to report if they believe on reasonable grounds that a child or young person is, or may be at risk and this suspicion if formed in the course of their work. This is a legal obligation which carries a penalty if the individual fails to comply. These people are referred to as mandated notifiers. Under the Safety Act, the following people are mandated notifiers:

- Employees of, or volunteers in, an organisation 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
- An officer or employee of a prescribed organisation (as per section 114 of the Safety Act) who holds a management position in the organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children.

"Prescribed position" is one that includes:

- A position in which a person works with children
- A position in which, during the ordinary course of their duties, it is reasonably foreseeable that a person will work with children
- A position set out in the *Prohibited Persons Regulations*

A person who works in a prescribed position must have a current, not prohibited Working With Children Check.

"Safeguarding" means protecting the welfare and human rights of people, particularly those that might be at risk of harm, abuse, neglect or exploitation.

"Volunteer" means a person who volunteers for service or activity which is of benefit to the community where there is no financial gain for the individual.

"Working With Children Check" means an assessment of whether a person poses an unacceptable risk to children.

5. Roles and responsibilities

While the responsibility to protect people is shared by all, some individuals have specific obligations with which they must comply:

Council

- Adopt the policy
- Promote the protection, safety and wellbeing of children and other vulnerable people

Chief Executive Officer

- Ensure the policy is implemented, monitored, reported, evaluated and tabled for review within the designated review period
- Ensure stakeholders understand mandatory reporting requirements procedures and associated legal responsibilities

Directors, Managers and Coordinators

- Promote a positive culture towards safeguarding
- Understand mandatory reporting requirements, procedures and associated legal responsibilities
- Ensure staff, volunteers, contractors and consultants who are mandated notifiers are aware of their obligations as mandated notifiers and have appropriate skills and knowledge to identify children or vulnerable people at risk
- Ensure that any person involved in any activity where a valid Working With Children Check is required, has a valid current clearance issued prior to commencement at Council
- Ensure staff apply risk assessment processes as required and are supported to make reports
- Establish and maintain supportive procedures for fulfilling mandatory notification requirements and ensure all stakeholders understand their legal responsibilities
- Report any reasonable suspicion that a child or young person is at risk of harm to the CARL or the E-CARL

All Elected Members, Council employees, volunteers, contractors and consultants:

- All stakeholders will apply the principles and abide by this policy
- Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding
- Stakeholders involved in activities with children and/or vulnerable people have obligations under the Children & Young People (Safety) Act 2017 to:
    - Report any reasonable suspicion that a child or young person is at risk of harm to the CARL or the E-CARL

- Ensure they are aware of the legal obligations and the consequences of failure to comply
- Ensure they are able to identify, report and respond to children, young people and other vulnerable people at risk of harm

6. Policy and Procedure Standards

Council is committed to standards which focus on ensuring the Council and its facilities are safe environments for children and vulnerable people. In particular, the following standards reflect the guidance provided by the Department of Human Services on appropriate standards of conduct for adults in dealing with children.

6.1 Safeguarding Culture

Council will ensure the fundamental rights of children and vulnerable people are respected and safeguarded. This will be achieved through establishing and promoting and organisational wide commitment to maintaining a safe environment where a safeguarding culture is embraced and embedded in appropriate principles, behaviours and activities that are safe for all children and vulnerable people.

6.2 Risk Management Strategy

Council will identify and assess potential sources of harm and take steps to decrease the likelihood that harm will occur to children and vulnerable people who use our services. Areas of risk include:

Identifying Risk		Risk Assessment			
Category	*Description*	*Likelihood*	*Consequence*	*Risk Level*	*Management of Risk*
Physical contact	Unnecessary or misunderstood physical contact	Minor	Major	High	• Undertaken in a safe manner by explaining why contact is required and what will happen, and asking the child/young person for their permission (or family, if more appropriate) before proceeding.
Identifying Risk		Risk Assessment			
Category	*Description*	*Likelihood*	*Consequence*	*Risk Level*	*Management of Risk*
Recruitment	Selection of inappropriate staff, contractors or volunteers Lack of proper screening processes and reference checking Lack of maintaining relevant screen checks	Possible	Major	High	• Reference checking. • Sight and store appropriate qualifications for the role. • Working With Children Check obtained. • Probation period. • Corporate digital systems to monitor due dates for WWCC. • Ongoing supervision.
Reportable conduct	Misconduct unreported and	Unlikely	Catastrophic	High	• Training for all staff, contractors and

	failure to address behaviour surrounding misconduct				volunteers. • Code of Conduct and Child Safe Environment policies. • Ongoing supervision for staff, contractors and volunteers.
Privacy	Use of images or video of children and young people without parental consent Sharing of information without consent	Likely	Moderate	High	• Code of Conduct. • Training for all staff, contractors and volunteers. • Photo release forms (permission). • Consent to share and exchange information forms.
Supervision	Child/young person may go missing and/or be exposed to other dangers as a sole person	Possible	Moderate	Medium	• Children and young people are to be supervised by parents/guardians at all times, or • One-to-one consultation with a child or young person will be in line of sight of another adult.
Taking images of children and young people	Publication and recognition by third party	Possible	Moderate	Medium	• Consent of child/young person and their parent/guardian required. • Disclosure of use of image will be required. • Image(s) must be presented in a way that de-identifies the child or young person.

6.3 Codes of Conduct

All employees, Elected Members, 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.

6.4 Recruitment, Selection and Enhancing Performance

Council will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with, and provide services to, children and other vulnerable people. Applicants for prescribed positions will be screened for their suitability to provide services. Screening will involve a National Police Check, Working with Children Check, interviews, referee reports, checking qualifications and previous employment history in working with children.

Council will employ various strategies to supervise, train and support employees and volunteers to understand their responsibilities in creating a safe environment. Strategies include:

- New employee or volunteer induction package to include a copy of this policy
- For employees; regular performance appraisals and for volunteers; regular supervision sessions that include a focus on child safety and wellbeing
- Completion of 'Safe Environments: Through Their Eyes' training every three years
- For employees; safe environments to be listed as a standing agenda item at departmental and team meetings

In accordance with the Child Safety (Prohibited Persons) Act 2016, Council is registered with the Department of Human Services (DHS) Screening Unit and links all Working with Children Checks to its registration. All personnel charged with the operational duty of Council and all workers over the age of 14 years who will be working in a role with children and young people, must hold a current, not prohibited Working with Children Check issued by the DHS Screening Unit. This must be provided as evidence prior to employment and renewed every five (5) years. Council will verify the accuracy of all Working with Children Checks in the DHS Screening Unit portal as required by law.

In instances where Council becomes aware of certain information (ie. serious criminal offence, child protection or disciplinary/misconduct matter) regarding any person involved with the organisation, the Screening Unit of the Department of Human Services will be advised.

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. These measures include:

- Induction
- Internal training on policies & procedures
- Competency based questionnaires
- Regular child safe environment training ('Safe Environments: Through Their Eyes')
- Promoting an awareness of and access to child safe environments publications and resources

6.5 Involvement in decision making

Council will promote the involvement of children, young people and other vulnerable people in service development planning where relevant, and inform them of their rights and how to access grievance procedures where relevant. Grievance procedures can be accessed in accordance with Council's Complaints and Compliments Policy.

A primary method of consultation will involve the community in development of the draft Annual Business Plan and implementation of actions within Council's Disability Access & Improvement Plan. Other forms of involvement include:

- Survey or questionnaire (hard copy or online) inviting formal or informal feedback from children and vulnerable people about their experiences with Council
- Outlining the rights of children and young people who are accessing Council services and programs
- Inviting children and vulnerable people to be represented in volunteer programs and/or committees

6.6 Responding to harm or risk of harm

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 harm or risk of harm on reasonable grounds.

Mandated notifiers in our organisation are employees and volunteers who:

- Provide a service directly to children or young people
- 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

Mandated notifiers have a legal obligation to report harm or risk of harm directly to the Child Abuse Report Line on 13 14 78 or SA Police on 000 if a child or young person is at immediate risk. Council will support such staff and volunteers to ensure they are trained and appropriately supported to report any suspicion of harm or risk of harm on reasonable grounds.

However, child protection is everyone's responsibility, and all staff and volunteers will be supported and encouraged to report the reasonable belief that a child or young person is, or may be, at risk of harm regardless of whether they are legally obligated to.

All adult workers (even if not a mandated reporter) have a legal obligation to report child sexual abuse by another worker to the police, and to protect a child from sexual abuse by another worker. Failure to meet these obligations may be considered a criminal offence.

Only once this legal obligation has been met will enable the matter to be referred to management for information purposes (while maintaining confidentiality at all times).

Council ensures that support is also available when making notifications via the Employee Assistance Program, which is available to Council employees.

Council will support children and families when harm has occurred by referring them to specialists or community networks including community health, family violence support and/or community connections.

Where harm or risk of harm to a child or young person is suspected to be caused by a Council staff member or volunteer, this must be reported direct to the Child Abuse Report Line (CARL) on 13 14 78 or SA Police on 000 if an immediate risk. An internal report is then to be made to the Chief Executive Officer. The staff member/volunteer will be removed from roles involving contact with children and young people or suspended from duties whilst the authorities conduct an investigation.

6.7 Reporting and responding to complaints or feedback

If a general complaint or feedback is received Council will undertake prompt acknowledgement and process in a time sensitive and balanced manner in accordance with Council's Customer Service Charter and Complaints and Compliments Policy.

7. Availability/Accessibility

This policy is available for inspection at Council's offices during normal business hours & Council's website and will be emailed to interested parties on request (please lodge request in writing via email to council@coorong.sa.gov.au)

8. Document History

This policy shall be reviewed at least every three (3) years or more frequently if legislation or Council requires.

Council will lodge a new Child Safe Environments Compliance statement with the Department of Human Services each time the policy is revised and adopted.

Version	Adopted	Minute No	Description of change(s)
1	21 February 2012	055/12	New policy
2	18 February 2014	019/14	Cyclical review
3	15 August 2017	166/17	Cyclical review
4	17 May 2022	089/22	Policy title changed to reflect inclusion of 'vulnerable people' Updated strategic references to align with Community Vision Plan 2021 – 2025 Policy statement refined Roles & responsibilities refined 'Abuse and neglect' references replaced with 'harm or risk of harm' as stipulated by Department of Human Services

			'Safeguarding culture' included as an underlying procedural principle Code of Conduct Guidelines inserted as an appendix
5	19 July 2022	163/22	Refinement of clause 6.6 to reflect reporting responsibilities as per feedback from the Department of Human Services
6	16 December 2025	375/25	Minor amendments incorporated as suggested by the Department of Human Services

Appendix 1 – Child & Vulnerable People Safe Environments – Code of Conduct Guidelines

Council is committed to ensuring that children and young people are treated with respect, fairness and dignity within a welcoming and supportive environment that is free from all types of abuse and inappropriate behaviour.

All employees, Elected Members, 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.

These guidelines do not cover every situation; however, the values, ethics and standards it implies 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.

Supportive Behaviours

Employees, Elected Members, volunteers and those who access Council services must at all times:

- Treat children, young persons and vulnerable people with respect, equity and dignity
- Ensure children, young persons and vulnerable people are protected from any form of harm or discrimination
- Ensure the environment is safe for children, young persons and vulnerable people – this includes protection from violence, bullying, teasing, threatening and sexist or racist remarks.
- Role model positive behaviours, for example:
  - encourage children, young persons and vulnerable people to participate in decision making processes;
  - give constructive feedback to children and young people; and
  - ensure children, young persons and vulnerable people are aware of their rights, including their rights to respect, fairness and safety.

Staff, volunteers, contractors and consultants must be aware of their mandatory notification responsibilities and:

- inform the Child Abuse Report Line or report on line if they form a suspicion of harm or risk of harm;
- 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

Adopt safe and protective work practices, examples follow:

- 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 persons;
    - dress appropriately – for all stakeholders
- adopt a calm and non-judgemental attitude to allow young people to feel safe to raise complaints or concerns

Unacceptable behaviours:

- Any form of discrimination against a child or young person on the basis of 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
- Shouting, yelling or speaking to a child or young person in an angry, intimidating or threatening manner
- Engaging in rough physical play with children or young persons
- 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 persons
- Making 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 persons
- 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 any relationship that could be deemed as exploitative of abusive with a child or young person
- Failure to report disclosures of harm or risk of harm to the relevant supervisor or the Child Abuse Report Line at the earliest opportunity

Breaches of policy/disciplinary action

All employees, volunteers, contractors and consultants have a responsibility for promoting and supporting these values and standards of behaviour.

Where an employee, Elected Member, volunteer, contractor or consultant is found to have acted outside of this Code of Conduct, they will be subject to disciplinary action commensurate with the seriousness of their actions.