



WHYALLA CITY COUNCIL

WHYALLA

Safe Environment Policy	
Type	Council Policy
GDS Category	Public
Responsible Officer	Manager Community Development
Policy Adopted	November 2021
Review Period	4 years
Last Reviewed	June 2013 (now archived)
Next Review Date	November 2025
Policy Version Number	Version 4
Applicable Legislation	<ul style="list-style-type: none">• Aged Care Act 1997 (Cth)• Disability Discrimination Act 1992 (Cth)• Human Rights and Equal Opportunity Commission Act (Cth)• Privacy Act 1988 (Cth)• Racial Discrimination Act 1975 (Cth)• Sex Discrimination Act 1992 (Cth)• Workplace Relations Act 1996 (Cth)• Child & Young People (Safety) Act 2017 (SA)• Children & Young People (Safety) Regulations 2017 (SA)• Child Safety (Prohibited Persons) Act 2016 (SA)• Child Safety (Prohibited Persons) Regulations 2019 (SA)• Children's Protection (Mandatory Reporting and Reciprocal Arrangements) Amendment Act 2000 (SA)• Child Sex Offenders Registration Act 2006 (SA)• Child Safety (Prohibited Persons) Act 2016• Disability Services Act 1993 (SA)• Disability Services (Assessment of Relevant History) Regulations 2014• Education and Children's Services Act 2019• Equal Opportunity Act 1984 (SA)• Family Law Amendment (Child Protection Convention) Act 2002• Freedom of Information Act 1991 (SA)• Work Health and Safety Act 2012 (SA)
Related Documents	<ul style="list-style-type: none">• Department of Human Services: Principles of Good Practice SA.0029.001.0502.pdf (childabuseroyalcommission.gov.au)• National Principles for Child Safe organisations https://childsafe.humanrights.gov.au/sites/default/files/inline-files/Poster%20National%20Principles%20for%20CSO.pdf• Department of Education: Information Sharing Guidelines for promoting safety and wellbeing

	<p>https://www.education.sa.gov.au/sites/default/files/information-sharing-guidelines-for-promoting-safety-and-wellbeing-procedure.pdf</p> <ul style="list-style-type: none"> • Code of Conduct Council Employees • Code of Conduct Volunteers Policy • Disability Access & Inclusion Plan • Employee Behaviours, Values, Conduct Policy • Fair Treatment Policy • Risk Management Policy • Recruitment and Selection Procedure • Strategic Plan 2021-2030: Themes 1, 2, & 4 – Our People, Our Places, Our Image
Public Consultation Required	No
Purpose	<p>Council is committed to the safety and wellbeing of children, young people and other vulnerable people who access our programs, services, and facilities.</p> <p>The legislation requires Council to put in place appropriate policies and procedures to ensure that instances of abuse and neglect are reported and that safe environments for children and vulnerable people are established and maintained.</p>

1. Introduction

The City of Whyalla (Council) is committed to the safety and wellbeing of children, young people, and other vulnerable people. We support the rights of the child and vulnerable people in the community and will act without hesitation to ensure a safe environment is maintained at all time. 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.

2. Policy Objective

This policy aims to ensure the Council organisation and facilities are safe environments for children, young people, and other vulnerable people so that they are protected from abuse and neglect.

This policy also aims to ensure that all relevant Council managers, employees, volunteers, contractors/consultants undertaking work on behalf of Council, are aware of their duty of care responsibilities for the protection and safety and wellbeing of children, young people, and vulnerable people.

3. Scope and Responsibilities

Council believes that every child and vulnerable person has a right to be safe from harm and:

- Takes a preventative, proactive and participatory stance on children and vulnerable people protection issues
- Listens to and consults with children and vulnerable people
- Values and embraces the opinions and views of children and vulnerable people
- Encourages and assists children and vulnerable people to build skills that will assist them to participate in society, and achieve their full potential and
- Takes action to protect children and vulnerable people from physical, sexual, psychological, or financial abuse or neglect

This 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 and vulnerable people.

The primary consideration in planning any activity for children and any other vulnerable people will be the overriding importance of ensuring that it contributes to their wellbeing and does not expose them to harm. We also support the rights of our employees, and work placement individuals and encourage their active participation in building and maintaining a secure environment for all children and other vulnerable people. This includes supporting them to report when they suspect incidents of harm, abuse, and neglect of a child or other vulnerable person.

4. Policy statement

4.1 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, 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.

4.1.1 Managing the risks of abuse relating to 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/staff required for specific activities
- Providing opportunities for parental/carer participation
- Matching program activities to the physical and intellectual capabilities of participants
- Recognizing the risks that some activities, such as photography and access to the Internet, afford for harm/abuse.

Premises – the physical environment in which activities are conducted

Safety considerations of the physical environment should include

- Design features of playspaces, open space, skateparks etc. to be based on CPTED principles
- The ability to monitor people entering and leaving programs/activities
- Adequate lighting for indoor and outdoor areas

Participants – protective work practices

This is for the safety of participants, children, and vulnerable people, as well as the staff and/or volunteers

- Out of program contact between staff/volunteers and participants should be prohibited
- Limit the opportunity for one-on-one, close unsupervised contact between workers and volunteers and children, young people, and other vulnerable people.
- Gain consent of parents/carer givers in advance if one-one-one unsupervised contact is to occur. Workers and volunteers to report to

supervisors/managers in advance if one-on-one unsupervised contact is to occur.

- Offer child abuse prevention education to young participants in programs and parents/care givers.

4.2 Codes of Conducts

All employees, volunteers, contractors, Elected Members, and consultants will be required to comply with the code of conduct endorsed by Council which outlines the standards of conduct when providing services to children.

The Code of Conduct is supported by Council's grievance procedure to address breaches of the code of conduct.

4.3 Recruitment, Selection and 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. Council works to ensure that the legislative obligations of the *Child Safety (Prohibited Persons) Act 2016* are met.

Our recruitment and selection process include various steps for prescribed positions, including, but not limited to, interviews, qualification verification, referee reports with specific questions about the applicant's previous experience and suitability to work with children or vulnerable people, and other relevant employment screening.

Other non-prescribed roles may also require employment screening to be undertaken, where identified as necessary by Council.

4.4 Involvement in decision-making

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 policy and procedures where relevant.

4.5 Responding to Suspected Abuse and Neglect

Employees that provide services directly to or supervise employees that provide service to children have obligations under the *Child and young people (Safety) Act 2017 (Chapter 5)* to notify the Child Abuse Report line (CARL) 12 14 78 if they suspect, on reasonable grounds, that a child is, or may be at risk and the suspicion is formed in the course of their employment (paid or voluntary).

If employees or volunteers suspect, on reasonable grounds, that a vulnerable person is or may be at risk, they are to notify the South Australian Police (SAPOL) on 131 444.

Council is committed to ensuring that employees are aware of their obligations, in relation to recognising, reporting, and responding to suspected abuse and neglect. This extends to obligations under the Information Sharing Guidelines for promoting safety and wellbeing. In the event that it is alleged any employees, students on placement or work experience, and volunteers are perpetrators of abuse or neglect in the workplace, towards a child or vulnerable person, the allegations shall be investigated with support from Manager, People and Culture.

5. Definitions

Child/children or young people Child Safe Representatives	A young person under 18 years of age. Designated employee(s) who provide support, guidance, and advice pertinent to child and vulnerable person safety matters. This role is held by the following positions: <ul style="list-style-type: none"> • Manager Community Development • Manager People and Culture • Child Care Centre Coordinator
Employment Screening	Refers to the type of formal background check. Any clearance required by a WCC or potential WCC employee to work in a prescribed position. This may include but is not limited to: National Police Clearances; Working with Children Checks; Aged or Disability Screening Checks.
Harm	Includes physical and psychological harm caused by sexual, physical, mental, or emotional abuse caused by neglect.
Mandatory Notification/Reporting	The requirement for a person to report to Families SA (Dept of 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 during the person's work (whether paid or voluntary) or in carrying out official duties.
Mandated Notifier	A person who is responsible for reporting any suspicion of Child Abuse on reasonable grounds. Any other person who is an employee of, or volunteer in, local government that provides health, welfare, education, sporting or recreational, childcare, or residential services wholly or partly for children, being a person who: <ul style="list-style-type: none"> (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.
Prescribed position (child-related)	According to the Child and Young People (Safety) Act 2017, a position where an employee, volunteer, or contractor: <ul style="list-style-type: none"> • Has regular contact with children and is not directly supervised at all times; or • Works near children on a regular basis and is not directly supervised at all times; or • Supervises or manages people in above positions; or • Has access to personal records relating to children in connection with child protection services, education services, health services, disability services and court orders and proceedings. • Functions of a type prescribed by regulation • Is deemed a Mandatory Notifier – has mandatory obligations for reporting to Child Abuse Reporting Line (CARL)
Prescribed position (disability-related)	According to the Disability Services Act 1993, a position where an employee, volunteer, or contractor: <ul style="list-style-type: none"> • has regular contact with people with a disability or working near people with a disability on a regular basis, unless the contact or work is directly supervised at all times; or

- supervises or manages people in positions requiring or involving regular contact with people with a disability or working near people with a disability on a regular basis.
- has access to records of a kind prescribed by regulation relating to people with a disability.
- provides care to a person with disability overnight, and involving sleeping arrangements, regardless of whether that care is short-term or ongoing.

Prescribed positions

May be held by employees, volunteers, contractors, persons undertaking educational/vocational training or Elected Members.

Vulnerable People

Refers of people who may be at risk of exploitation due to their dependency on others. The definition is broad and in addition to children may include frail, aged people with disabilities, people from culturally and linguistically diverse backgrounds and people who experience social isolation.