



City of
Norwood
Payneham
& St Peters

NAME OF POLICY: Safe Environment

POLICY MANUAL: Human Resources

BACKGROUND

The City of Norwood Payneham & St Peters provides a broad range of programs, services and facilities for the community to access and use. The Council aims to maximise participation in and enjoyment of these programs, services and facilities by all citizens. In seeking to achieve this, the Council is committed to ensuring the safety and well-being of *children, vulnerable people* and its *citizens* in general, who access the Council's services or facilities, or participate in programs which are offered by the Council.

DISCUSSION

The Council's *Safe Environment Policy* has been developed in response to the Council's legislative responsibilities associated with the provision of services, programs and facilities.

This Policy aims to ensure that the Council's services, programs and facilities, are conducted, used and managed safely and provide safe environments for all users. As such, the Council has chosen to expand the applicability of this Policy to all citizens, particularly those who are vulnerable, in recognition that they may require similar protection.

This Policy also aims to ensure that Elected Members, Council staff, Volunteers, Trainees, students on work experience placements, contractors, and consultants providing services on behalf of the Council, are aware of their legislative and duty of care responsibilities for the protection and well-being of children and vulnerable people at all times and undertake these responsibilities accordingly.

This Policy covers all programs, services and facilities which are provided by the Council, in particular, those that are provided to and used by young children and vulnerable people.

KEY PRINCIPLES

All citizens, in particular children and vulnerable people, have the right to be respected and protected from harm, risk of harm and abuse whilst using the Council's facilities or accessing the Council's services or programs.

The Council will have processes in place to investigate and where applicable, respond to reports or suspicions made against staff, of harm, risk of harm or *abuse of children or vulnerable people* and citizens.

The Council is committed to supporting the development and understanding of Elected Members, its staff, Volunteers, students on work experience placements, contractors and/or consultants, of their roles and responsibilities in providing and maintaining a safe environment for children and vulnerable people.

The Council is committed to integrating risk assessment as part of developing and providing services and programs for children and vulnerable people, to ensure strategies to reduce identified risks (for harm to children and vulnerable people) are developed, implemented and reviewed.

The Council will, in accordance with its recruitment and procurement processes, choose and appoint suitable staff, Volunteers, contractors and consultants, for the delivery of its programs and services and management of its facilities.

DEFINITIONS

For the purposes of this Policy, the following definitions have been adopted:

- ***Child or young person***

Refers to a person who is under 18 years of age and in reference to the Council's *Youth Strategy*, to a person who is between the ages of 10 years and 18 years.

- ***Citizen***

A citizen is a person, who lives, works, studies or visits the City of Norwood Payneham & St Peters. A person can be citizen without having Australian Citizenship status.

- ***Close proximity***

Close proximity is defined as being within eyesight, able to have contact or communicate with the person.

- ***Criminal History Check or National Policy Check***

A *Criminal History Check or National Policy Check* refers to the process where a report is obtained from a prescribed source regarding the criminal history of a person for the purposes of determining whether that person is suitable for a position or role with the Council.

For the purposes of this Policy, Criminal History Checks will be completed through the *Fit2Work* website for National Criminal History (Police) Clearances.

- ***Elder Abuse***

Elder abuse is defined as a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person.

Elder abuse can take various forms such as physical, psychological or emotional, sexual and financial abuse. It can also be the result of intentional or unintentional neglect.

- ***Harm and risk of Harm***

Harm and risk of harm will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental, emotional financial abuse or neglect.

- **Mandated Notifier**

While the *Children and Young People (Safety) Act 2017*, no longer uses the term *Mandated Notifiers*, the Council employs a number of staff that have obligation under the legislation or as an expectation of their position in the Council, to report harm and risk of harm. As such, the Council will continue to use the term *Mandated Notifiers* to describe those persons who have a legislative requirement to report suspicion that a child may be at risk of harm (in accordance with s30 and s31 of the *Children and Young People (Safety) Act 2017*) and other relevant legislation.

As such, a *Mandated Notifier* is any Council employee or Volunteer, who provides health, welfare, education, sporting or recreational, child care or residential service or wholly or partly for children and young people who:

- provides such services directly to children and young people; or
- holds a management position in the organisation and the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people.

In addition, any staff member who has regular unsupervised access to the St Peters Child Care Centre & Preschool or young persons involved in the delivering Council programs or provision of services, will also be deemed to be a '*mandated notifier*'.

- **Mandatory Reporting Obligation**

Refers to a *Mandated Notifier* who must report any suspicion of abuse or neglect of a child to the *Department of Child Protection (DHS) Child Abuse Report Line (CARL)*.

- **Prescribed Position**

The Council's *prescribed positions* are listed at **Attachment B**. A Prescribed Position is a position that requires one or more prescribed functions, namely:

- **Working with Children**

a position in which a person works, or is likely to work, with children, or any other position, or a position of a class, prescribed by the *Child Safety (Prohibited Persons) Regulations 2019*, for the purpose of this definition.

- **Working with people with a disability**

a position in which a person works, or is likely to work, with people with a disability, or any other position, or a position of a class, prescribed by the *Disability Inclusion Regulations 2019*, for the purpose of this definition.

- **Working with Aged Care**

a position in which a person works, or is likely to work, with elderly people, or any other position, or a position of a class, prescribed by the *Aged Care Act 1997*, for the purpose of this definition.

- **Working with Vulnerable People**

a position in which a person works, or is likely to work, with vulnerable people.

- **Regular Contact**

Regular contact includes contact for more than seven (7) days or events (whether consecutive or not) in a calendar year.

- **Vulnerable Person/People**

- *Vulnerable Person/People* for this purpose means:

- a Child or Children; or
- an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason; and
- could include people with a disability (physical, intellectual or mental), the frail aged, citizens from culturally and linguistically diverse backgrounds or of Aboriginal or Torres Strait Islander descent, refugees, and those living in poverty or with chronic health conditions.

- **Working in Aged Care Sector Check**

An *Aged Care Sector Check* refers to the process where a report is obtained from a prescribed source regarding the relevant history of a person that is 14 years or older and which meets the criteria for the check which is set out by the Department of Human Services, for the purposes of determining whether that person is suitable for a position or role with the Council in relation to working in the Aged Care Sector.

- **Working with Children Check**

A *Working with Children Check* refers to the process where a report is obtained from a prescribed source regarding the relevant history of a person that is 14 years or older and which meets the criteria for the check which is set out by the Department of Human Services, for the purposes of determining whether that person is suitable for a position or role with the Council in relation to working with Children.

- **Working with Vulnerable People Check**

A *Working with Vulnerable People Check* refers to the process where a report is obtained from a prescribed source regarding the relevant history of a person that is 14 years or older and which meets the criteria for the check which is set out by the Department of Human Services, for the purposes of determining whether that person is suitable for a position or role with the Council in relation to working with vulnerable people.

POLICY

The Council recognises both its legislative and moral obligations and is committed to the safety and well-being of children and vulnerable people, who access the services, facilities provided by the Council and/or participate in programs which are provided by the Council.

The Council supports the rights of all citizens - in particular children and vulnerable people in the community - and will act to ensure that a safe environment is provided and maintained at all times in respect to the programs, services and facilities which it provides.

The Council aims to create a safe, inclusive and child friendly environment where all citizens are respected, valued and encouraged to reach their full potential. The Council values diversity and does not tolerate any discriminatory practices.

The opinions of all citizens, including children and young people, who access Council services, participate in programs or use facilities, are encouraged and respected. The Council listens and acts upon any concerns that are raised by children, young people or their families.

The Council will assist in the education of children in respect to what they can do if they feel unsafe and ensures that children, young people and their families, are aware of their rights and how to access the complaints procedure which is available to them.

The Council supports the rights of children and vulnerable people in our community in order to ensure a safe environment is maintained.

The Council supports the rights of our staff and Volunteers and encouragement is given for their active participation in building and maintaining a safe environment for children and vulnerable people.

SCOPE

The Policy applies to any person performing work and duties, (paid or unpaid), on behalf of the Council including:

- Elected Members (Mayor and Councillors);
- full-time, part-time or casual Council staff;
- work experience students;
- Trainees and Apprentices;
- agents, temporary labour hire staff, consultants and contractors employed or engaged by the Council; and
- Volunteers, who are registered with the Council as Volunteers.

Staff members, Elected Members, people on work experience, Trainees and Apprentices, people engaged or contracted to undertake work for the Council and Volunteers must observe this Policy whenever they engage in Council work or act as a representative of the Council.

RESPONSIBILITIES

The key responsibilities, and associated accountabilities, for maintaining a safe environment within the Council are detailed in **Attachment A**.

RECRUITMENT AND SELECTION OF APPROPRIATE STAFF AND VOLUNTEERS

The Council will take reasonable steps and follow the City of Norwood Payneham & St Peters Recruitment process and procedures, to ensure that it engages the most suitable and appropriate persons to work with and provide services to children and vulnerable people.

APPOINTMENT OF STAFF AND VOLUNTEERS

The Council will ensure that prior to a person being engaged or appointed to a position in the organisation, an assessment of their *National Police Clearance* is conducted to ensure that the Council is made aware of any criminal convictions or disclosable court outcomes (subject to relevant spent convictions/non-disclosure legislation and/or information release policies).

The Council will ensure that prior to a person being engaged as a Volunteer, a *National Police Clearance* is undertaken to ensure that the Council is made aware of any criminal convictions or disclosable court outcomes (subject to relevant spent convictions/non-disclosure legislation and/or information release policies).

In the event that a criminal charge is made, staff and Volunteers must also observe the requirements as set out in the Council's *Behaviours Standards Policy*.

In cases where screening has identified a criminal record or that an applicant is unsuitable for employment within either a *prescribed position*, Community Services position or Volunteering role, the information will be dealt with in a manner that reflects the principles of natural justice, confidentiality and relevant equal opportunity and aged care legislation.

APPOINTMENT OF STAFF AND VOLUNTEERS INTO PRESCRIBED POSITIONS

The Council will ensure that prior to a person being engaged or appointed to a *prescribed position*, as defined by the *Child Safety (Prohibited Persons) Act 2016*, *Disability Inclusion Act 2018* and *Aged Care Act 1997*, an assessment of their relevant history is conducted and monitored in accordance with the renewal time frame of the relevant check.

For the purposes of this Policy, Checks will be completed through *Department of Human Services (DHS) Screening Unit*.

The *prescribed positions* are listed at **Attachment B**.

In the event a position is not a prescribed position under legislation, the Council may choose to have a person being appointed into a position, screened with a *Department of Human Services Vulnerable Person Check*, if it is relevant to do so, to maintain the integrity of the appointment.

SUPPORT PROVIDED BY THE COUNCIL

In the event that a person, who is undertaking duties as part of their role with the Council, identifies to the Council that they need additional support, as a result of being adversely impacted by their observations or concerns in relation to incidents of harm, risk of harm or neglect of a child, elderly person, disabled person or Vulnerable person, during the course of

their duties with the Council, the Council will sensitively and confidentially provide support, such as counselling.

Staff may seek advice and support from either their General Manager, Manager, the Council's *Child Safety Officer* or the *Council's Manager, Community Care Services*, in relation to understanding the requirements expected of them, under the provisions of this Policy.

The *Child Safety Officer* is the Director, St Peters Child Care Centre & Preschool (Alice Parsons) who can be contacted on 8362 1843 or email: AParsons@npsp.sa.gov.au.

The Council will ensure that any person appointed by the Council or undertaking duties for the Council, have access to support and training in developing and maintaining a safe environment for all citizens. This will ensure that everyone understands the importance of creating safe environments, wellbeing and protection for children, elderly people, vulnerable people and people with a disability and ensure that the Council's relevant policies and procedures are implemented to a consistently high standard.

The Council will address complaints which are received in respect to matters related to this Policy, as set out in the Council's *Complaint Handling Policy and Procedure*. This Policy is available on the Council's Website or by request from any of its office locations.

SAFE AND PROTECTIVE WORK PRACTICES

Staff and Volunteers are required to:

- be aware of potential situations and actions when working with children, elderly people, people with a disability and vulnerable people that may be misinterpreted or misconstrued, and adopt safe work practices;
- adopt a calm and non-judgemental attitude to allow children, elderly people, people with a disability and vulnerable people to feel safe to raise complaints or concerns; and
- in the event that a complaint is made, explain the Council's grievance procedures and avenues for complaints in simple and clear language that is appropriate to the age and the language, literacy and numeracy skills (LLN) of the person they are interacting with.

RISK MANAGEMENT

Risk assessments will be conducted for all Council events and activities to ensure that strategies and procedures are in place to reduce identified risks (for harm to children and vulnerable people) are developed, implemented and reviewed. A risk assessment has been undertaken and completed to identify and assess potential sources of harm, risk of harm and identify actions to decrease the likelihood that harm will occur to all citizens - in particular children, elderly people, people with a disability and vulnerable people - who use or access Council services, programs and facilities.

BULLYING AND HARASSMENT

Bullying and harassment affects a person's well-being, health and confidence and the ability to develop and participate in learning activities. As such, bullying by, or against, children, elderly people, people with a disability and vulnerable people is not to be tolerated by Council staff. If Council staff witness children, elderly people, people with a disability and vulnerable people, being bullied, they report the matter under the provision set out in the Council's *Fair Treatment and Equal Opportunity Policy*. Additional advice on bullying and harassment information and helplines can be accessed via: <https://www.sa.gov.au/topics/education-and-learning/health-and-wellbeing/bullying-and-harassment>

AGED CARE SAFE ENVIRONMENTS

The City of Norwood Payneham & St Peters is an Approved Aged Care Service under the *Aged Care Act 1997* and provides important home care services. As such, the Council will ensure that all Community Services and Home Library Service staff (including Contractors and Volunteers), will hold and maintain, a valid *Aged Care Sector Check* and *Working with Vulnerable People Check* from the *Department of Human Services (DHS) Screening Unit*.

REPORTING ELDER ABUSE

Staff are required to report situations of *elder abuse* to their immediate supervisor, if they encounter any of the following circumstances:

- if an elderly person *states* that they are being harmed by another person;
- another person *states* they are harming an elderly person;
- another elderly person, or significant other *states* they have observed abusive acts;
- someone is not responding to the financial/medical needs of an elderly person;
- they *observe* an action or inaction that may be considered abusive; and/or when there is clear *evidence* that an abusive situation is occurring.

Staff must liaise with the Council's Manager, Community Care Service, who will determine how to proceed with any reports, in the context that the guiding principles require the rights of an elderly person to be maintained at all times and to ensure that any action does not make the elderly person's situation worse.

Any reports of elder abuse and matters relating to the report, must be kept confidential by the parties involved in the reporting process, as far as the law allows.

If the Council receives an allegation of or suspects on reasonable grounds, that unreasonable use of force or unlawful sexual contact on an elderly person participating in the Community Visitors Scheme in a residential care facility has taken place, the Council **must** report the allegation or suspicion as soon as reasonably practicable and within 24 hours to South Australia Police (SAPOL). When there is a risk of self-harm or an immediate threat to life, Council staff are to immediately call SAPOL on triple zero (**000**).

USEFUL CONTACTS

Aged Rights Advocacy Service

To talk to someone about concerns for an elderly person's safety and wellbeing who may be at risk of being abused by someone they should be able to trust

Age: older people

Phone counselling 24/7

Check site for more details <http://www.sa.agedrights.asn.au>

Telephone – 8232 5377 or 1800 700 600 (Freecall for country callers only)

CHILDSAFE ENVIRONMENTS

The Council recognises the specific obligation which it has to provide a child safe environment. Child safe environments are safe and friendly settings where children and young people are protected and feel safe, respected and valued creating this environment require additional provisions from the Council.

YOUTH ENGAGEMENT & COMMUNICATION

The Council has developed and implements a *Youth Strategy*, which provides the strategic framework and sets out the Council's commitment to contributing to the well-being of young people who live, study, work and recreate in the City of Norwood Payneham & St Peters.

The *Youth Strategy* is reviewed every three years and includes actions to engage youth participation and feedback. Examples of these actions include, but are not limited to; hosting Schools forums, skills sessions and Elected Member Information briefings. The actions are reviewed and updated every three years and can be viewed in each iteration of the Council's *Youth Strategy*.

This Policy and the Council's *Youth Strategy* are available to be downloaded free of charge, from Council's website www.npsp.sa.gov.au and/or may be inspected without charge at the Council's principal office at the Norwood Town Hall (175 The Parade, Norwood SA 5066) during ordinary business hours.

WORKING WITH CHILDREN CHECK & EMPLOYMENT CHECKS

The Council will ensure that prior to a person being engaged or appointed to a *prescribed position*, as defined by the *Child Safety (Prohibited Persons) Act 2016*, an assessment of their relevant history is conducted and monitored in accordance with the renewal time frame of the relevant check.

Any staff member who is currently employed within a prescribed position and only holds a *National Police Clearance*, will be required to undergo the relevant *Department of Human Services Screening* before they can work with children and young people.

Council staff must not to have unsupervised/unescorted contact with children, unless they hold a relevant *National Police Clearance* and a valid **Working with Children Check**.

In respect to Elected Members, Volunteers, contractors and consultants the Council may, on occasion, enable these people to work with children under the *Department of Human Services Exclusion* guidance. Namely, if the Elected Members, Volunteer, contractor or consultant have less than seven (7) days contact working with children in a calendar year, when only a minor or unknown level of contact may occur with a child through the activity and when it is impracticable to gain a *Working with Children Check* prior to the contact taking place (i.e. the contact with a child may be '*in passing*' while undertaking maintenance work on a site for a short period of time), the person may work with children, without holding a valid Working with Children Check.

In the event that the Council becomes aware of a matter that would prohibit a person from working and interacting with children, the Council will report the information to *the Department of Human Services Screening Unit* and the *Child Abuse Report Line (CARL)*.

THIRD PARTY RESPONSIBILITY

Any parties leasing or hiring Council owned facilities must comply with any statutory requirements relevant to the lease or hire of the Council facility in respect to *Working with Children* and *Child Safe Environments*. This applies to organisations, sole traders and partnerships.

The Council's contract superintendents may, as part of the lease and hire arrangements, request information to ensure the third party being engaged meets *the "prescribed position"* test and request the third party to provide to the Council, evidence / certification of appropriate screening.

STANDARDS OF BEHAVIOUR (WORKING WITH CHILDREN)

Staff and Volunteers must observe the standard of behaviours which are set out in the Council's *Behaviours Standards Policy* at all times. In addition, staff and Volunteers who are working with children must also observe additional standards of behaviour, which are relevant to working with children.

Working with children requires additional responsibilities of staff and Volunteers engaged by the Council and all staff and Volunteers are responsible for promoting and protecting the safety and wellbeing of children. Staff and Volunteers are requested to always conduct themselves in manner which is appropriate, in respect to any dealings that they may have with children during the course of their duties with the Council.

This includes but is not limited to:

- taking all reasonable steps to ensure the safety and protection of children and young people;
- upholding the principles of Fair Treatment and Equal Opportunity at all times;
- being a positive role model to children;
- listening and responding appropriately to the views and concerns of children;
- encouraging children to 'have a say' on issues that are important to them;
- engage in appropriate and safe activities with children;
- maintain appropriate relationships with children and refrain from displaying favouritism or preference to any specific children; and
- help, guide teach and develop children, relevant to the interaction they have with children in their roles with the Council.

RISK

For the purpose of this Policy a risk assessment has been undertaken and completed to identify and assess potential sources of harm, risk of harm and identify actions to decrease the likelihood that harm will occur in particular to children. A copy of the risk assessment is contained in **Attachment C**.

REPORTING HARM, RISK OF HARM, AND NEGLECT TOWARDS CHILDREN

Everyone has a moral responsibility to report harm, risk of harm and neglect towards children.

In particular, pursuant to *Chapter 5 of the Children and Young People (Safety) Act 2017*, certain people are obliged to notify the *Department for Child Protection* via the *Child Abuse Report Line (CARL)* by calling **13 14 78**, if they suspect on reasonable grounds that a child or young person is being harmed or is at risk of harm and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.

In addition, in the event that it is determined that a person, a child or young person is at immediate risk, a report must be made to *SA Police* or *Emergency Services* by calling 000.

As such, the following roles within the organisation have been identified as '*mandated notifiers*':

- all staff who work at the St Peters Child Care Centre & Preschool;
- all Library staff;
- all Swimming Centre staff;
- Event Coordinators;
- Youth Development staff;
- the Manager, Library & Lifelong Learning Services;
- the Director, St Peters Child Care Centre & Pre-school;
- the Manager, Swimming Centres;
- the Chief Executive Officer;
- the General Manager, Corporate Services; and
- the General Manager, Governance & Community Affairs.

Whilst the obligation to report suspicions of harm, risk of harm, or neglect, rests with *prescribed positions* and *mandated notifiers*, this does not preclude any staff member, who is not a *mandated notifier* and who forms a reasonable suspicion of an incident of harm, risk of harm or neglect of a child responsibility to also report their concerns to the *Child Abuse Report Line* (CARL) by calling **13 14 78**.

Any person may report suspicions of harm, risk of harm, or neglect, to the *Child Abuse Report Line* (CARL) and may maintain confidentiality in respect to their report (ie. they do not need to notify their manager or any other staff member that a report has been made).

TRAINING

All staff who have been identified as '*mandated notifiers*', are required to complete relevant training in child safe environments and reporting risk of harm or neglect.

To ensure that staff are kept abreast of any changes to child safe environments and maintain appropriate skills, knowledge and attitudes, all mandated notifiers are required to undergo refresher training in a Safe Environments Course at least every five (5) years.

Notwithstanding this, to maintain accreditation by the *Australian Children's Education & Care Quality Authority (ACECQA)* against the *National Quality Framework*, Childcare staff, at a minimum, are to complete refresher training every three (3) years.

USEFUL CONTACTS

Kids Helpline - To talk to someone about anything that's going on in a child's life

Age: 5-25

Phone counselling 24/7

Online [web chat](#) and [email](#), check site for more details www.kidshelp.com.au

Telephone – 1800 55 1800

COMPLIANCE WITH THE POLICY

All Council staff and Volunteers have a responsibility to promote and support the organisations Values and standards of behaviour.

Where a staff member or Volunteer is found to have acted outside of this Policy, they will be subject to disciplinary action commensurate with the seriousness of their actions. This disciplinary action may include but is not limited to a warning, counselling or termination of their employment or removal as a Volunteer.

Breaches of this Policy will be investigated on a case-by-case basis and in accordance with the Council's *Disciplinary and Under-Performance Policy*.

Where an Elected Member have acted outside of this Policy, the Council's General Manager, Governance & Community Affairs will address the matter under the provisions of the relevant Council policy or process.

The principles of procedural fairness, equity and natural justice, will apply to any investigation and management of an investigation. Investigations undertaken regarding non-compliance with this Policy, will be kept confidential, excluding any mandatory reporting requirements to external bodies (for example, SAPOL or CARL). Council staff may request a Support Person to assist them in the consideration of any alleged non-compliance with this Policy.

INFORMATION

CONTACTS

The Council's *Child Safety Officer* is the Director, St Peters Childcare Centre & Preschool, Alice Parsons, on telephone 8362 1843 or email: AParsons@npsp.sa.gov.au.

The contact officer for further information on this Policy is the Council's Manager, Organisational Development, Nicole Newton, on telephone 8366 4564 or email: nnewton@npsp.sa.gov.au.

RELATED LEGISLATION AND DOCUMENTS

The following Acts, Regulations and Guidelines provide the legislative framework for this Policy:

- *Aged Care Act 1997*;
- *Children and Young People (Safety) Act (SA), 2017*;
- *Children and Young People (Safety) Regulations, 2017*
- *Child Safety (Prohibited Persons) Act, 2016*;
- *Child Safety (Prohibited Persons) Regulations, 2019*;
- *Disability Inclusion Act (SA), 2018*;
- *Education and Early Childhood Services (Registration and Standards) Act 2011*;
- *Education and Care Services National Regulations 2011*;
- *Equal Opportunity Act 1984*; and
- *State Records Act 1997*.
- The South Australian Government, *National Principles for Child Safe Organisations*

- City of Norwood Payneham & St Peters, *Risk Management Policy, Version 1.0*;
- City of Norwood Payneham & St Peters, *Recruitment, Selection, Induction and Probation Guide and Process*;
- City of Norwood Payneham & St Peters, *Disciplinary and Under-Performance Management Policy and Procedure*; and
- City of Norwood Payneham & St Peters, *Behaviour Standards Policy*.

REVIEW PROCESS

This Policy will be reviewed within 36 months of the adoption date of the Policy.

In addition, it is a requirement that *Child Safe Environments Policies and Procedures* are reviewed and a new lodgement is submitted with the *Department of Human Services*, at least once in every five (5) year period.

ADOPTION OF THE POLICY

This Policy was adopted by the Chief Executive Officer on 22 March 2022

TO BE REVIEWED

30 June 2025

ATTACHMENTS:

Roles & Responsibilities

Prescribed Positions

Risk Assessment – Child Safe Environments



16 March 2022

Mario Barone PSM
CHIEF EXECUTIVE OFFICER

Date

Attachment A

ROLES AND RESPONSIBILITIES

The **Council** is responsible for development of the “*Safe Environment Policy*” and in conjunction with the Chief Executive Officer:

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

Elected Members have individual responsibility for appropriate behaviour towards children and other vulnerable people and for compliance with this Policy.

The **Chief Executive Officer** is accountable to the Council and responsible for:

- ensuring the Policy is implemented, monitored, reported on and evaluated;
- being aware of mandatory reporting requirements, procedures, and associated legal responsibilities; and
- ensuring significant changes to relevant legislation are brought to the attention of Council in a timely manner.

General Managers, Managers and Supervisors (paid and/or Voluntary) are accountable to the Chief Executive Officer to ensure the following:

- recruitment and selection is undertaken in accordance with Council’s human resources policies, procedures and requirements for screening of existing employees and preferred applicants for prescribed positions;
- effective implementation of the Policy, procedures and safe work place practices;
- all staff demonstrate and promote acceptable behaviour when dealing with children and other vulnerable people;
- appropriate induction and on-going training as required in relation to the Safe Environment Policy;
- supportive procedures for fulfilling mandatory notification requirements are established and maintained;
- ‘*mandated notifiers*’ understand their legal responsibilities;
- reporting any reasonable suspicion of harm or risk of harm of a child to the Child Abuse Report Line.²
- supporting staff and responding to enquiries regarding suspicions of risk of harm, abuse or related issues, maintaining appropriate records and ensuring records are securely stored;
- maintaining confidentiality and fully cooperating with the Department of Education , South Australia Police (SAPOL) and other relevant government agencies in their investigations of suspected risk of harm or abuse of a child or other vulnerable person if required; and
- reporting annually to the Chief Executive Officer on implementation, monitoring and review of the Policy and relevant services, programs, and workplace practices.

Child Safety Officer

The Councils *Child Safety Officer* is responsible for providing advice, support and education in relevant matters, to staff and Volunteers - and as the contact person for children, carers and parents - in relation to child safe environment issues.

Mandated Notifiers

Mandated Notifiers have obligations under the *Children and Young People (Safety) Act 2017*, to notify the Department for Child Protection if they suspect, on reasonable grounds, that a child or young person is, or may be, at risk of harm or abuse and the suspicion is formed in the course of their work (paid or voluntary) or in carrying out official duties. Whilst the obligation to report suspicions of risk of harm or abuse rests with *Mandated Officers*, they are encouraged to seek advice and support from the Councils *Child Safety Officer* or their supervisor and manager, in relation to suspicions of risk of harm to a child or young person. This practice will ensure that Council staff and Volunteers are appropriately supported, records are kept confidentially and securely, and any organisation responsibilities in addition to the mandatory reporting obligation are pursued where relevant.

Council Staff, Volunteers, contractors and consultants (non-mandated notifiers)

All Council staff, Volunteers, contractors and consultants providing services on behalf of the Council, have a role to play in providing a safe environment for complying with the Policy.

The Council strongly encourages and will sensitively support any staff member, volunteer, contractor or consultant who, though not a "*mandated notifier*" as defined by the Council's *Safe Environment Policy*, to report any suspicion they have of incidents of risk of harm or neglect of a child or other vulnerable person.

Attachment B

PRESCRIBED POSITIONS

The City of Norwood Payneham & St Peters will assess the Position Descriptions and Duty Statements of all staff and Volunteers and identify those positions that involve one or more prescribed functions as set out in the *Disability Inclusion Act 2018* and/or the *Child Safety (Prohibited Persons) Act 2016* and/or the *Commonwealth Community Home Support Program Manual*.

Table 1 below sets out the category/type of *Department of Human Services (DHS)* Screening required for each position.

TABLE 1 – CITY OF NORWOOD PAYNEHAM & ST PETERS PRESCRIBED POSITIONS

Position / Role	Working with Children Check	Aged Care Sector Employment check	Working with Vulnerable People check
Chief Executive Officer	X	X	
All General Managers	X	X	
Manager, City Services	X		
Manager, Community Care Services	X	X	
Manager, Organisational Development	X	X	
Manager, Strategic Projects & Economic Development	X		
Manager, WHS & Risk	X	X	
Manager, City Assets	X		
City Arborist	X		
Venue Manager, Norwood Concert Hall	X		
Works Coordinator(s), City Services	X		
Depot Support Officer, City Services	X		
<u>all</u> Leading Workers, City Services	X		
<u>all</u> Team Members, City Services	X		
Administration Officer, Governance & Community Affairs	X	X	
Building Maintenance Officer, City Assets	X		
Human Resources Officer	X	X	
Coordinator, Volunteer Services	X		
<u>all</u> St Peters Child Care Centre & Preschool staff	X		
<u>all</u> Swimming Centres staff	X		
<u>all</u> staff involved with Children's and Youth Development Programs	X		
<u>any</u> staff performing a Regulatory Compliance function	X		
<u>all</u> Corporate Records staff	X	X	
<u>all</u> Staff involved with Community Home Support Programs		X	X
<u>all</u> Libraries & Lifelong Learning Unit staff	X		

Library Outreach Services Coordinator	x		x
Community Visitor (Community Visitor Scheme) (Volunteer Role)		X	
Community Bus Driver (CHSP) (Volunteer Role)		X	X
Community Transportation Helper (CHSP) (Volunteer Role)		X	X
<u>a//</u> Volunteers involved with Home Support & Social Inclusion Programs conducted within clients' homes			X
Baby Bounce & Story Time Volunteer (Library) (Volunteer Role)	X		
Library Children's Activities Volunteer (Library) (Volunteer Role)	X		
Home Library Deliverer (Library)(Volunteer Role)	X		X
Library Shelf Checker (Library) (Volunteer Role)	X		
Stepping Out Program (Volunteer Role)		X	X
Youth Events Volunteer (14 Years' and older) (Volunteer Role)	X		
Bus Driver (Fee for Service) (DIT Required Screening)	X	X	
Pet Care Helper (Volunteer Role)	X		X

**ATTACHMENT C
CITY OF NORWOOD PAYNEHAM ST PETERS - RISK ASSESSMENT FOR CHILDSAFE ENVIRONMENTS**

For the purpose of this policy this risk assessment is derived from the Council's Risk Assessment and the risk consequence and residue risk is assessed against the Council's approved Risk Management Matrix.

Risk Number	Risk Type	Risk Event	Consequence	Likelihood of Risk	Existing Controls	Additional Controls	Residual risk
1	Harm (Physical, Emotional & Psychological)	Perpetrator of harm attends a Council event or facilities (i.e. Public Toilets, Swimming Centres etc)	Potential harm caused to a child [Major]	Possible [Inherent] Unlikely [Residual]	<p>Children must be accompanied by a parent or caregiver at the Council:</p> <ul style="list-style-type: none"> when attending the libraries if under 12 years of age when attending the Swimming Centres if under 13 years of age when attending the swimming centres and under 5 the child must be with an arm's reach of the guardian when in the water when attending the swimming centres and under the child must be constantly supervised with no obstructions by a responsible adult, when in the water. <p>Children 6 years and over may not use change rooms for the opposite sex and family change rooms are provided.</p> <p>The Council maintains legislative attendance ratios of staff per child at the Swimming Centres and Child Care Centre</p> <p>Family & disable changerooms are available for use by anyone who prefers them.</p> <p>The change facility for School Swimming lessons is separated from the public use change rooms.</p> <p>The Council Policies related to supervision and use of change rooms are sign posted at each facility, available on the internet and at each facility.</p> <p>Staff are trained in Safe Environments which includes managing suspicious and perpetrator behaviour</p> <p>Council Protocols include children in the libraries who are identified as unsupervised are identified as Children at risk and SAPOL is contacted.</p>	As part of mandatory training, all staff are to be advised on Reasonably Practicable (ALARP) persons at/near child events or areas	Medium - 17

2	Harm (Physical, Emotional & Psychological)	Unauthorised filming or recording of children at events or facility	Possible Emotional Harm [Major]	Possible [Inherent] Unlikely [Residual]	Swimming Centres have a policy that prohibits the use of video/cameras or devices to be used without prior approval. This is sign posted in the change rooms and other areas of the swimming centres The Council Policies related to use of devices, videos and cameras are sign posted at each facility, available on the internet and at each facility. Libraries maintain a Conditions of Use policy that prohibits the use of video/cameras or devices to be used without prior approval.	Include Conditions of Use sign posts in the Council Libraries	Medium - 17
3	Harm (Physical, Emotional & Psychological)	Lost child (children) at Council events or facility	Possible Emotional Stress [Moderate]	Possible [Inherent] Unlikely [Residual]	The Council maintains legislative attendance ratios of staff per child at the Swimming Centres and Child Care Centre. Swimming Centres use the "Watch Around Water" initiative for all children <8. Swimming Centres and Libraries have policy on parental/caregiver supervision requirements (as above)	Concert Hall protocols to be developed outlining clear 'actions on' when lost child encountered All events to have Emergency Response Plan which documents clear 'actions on' when lost child encountered Council's needs to develop 'actions on' for lost children which is briefed to all staff	Low - 21
4	Harm (Physical, Emotional & Psychological)	Bullying between participants at youth events	Possible Emotional Harm [Major]	Possible [Inherent] Unlikely [Residual]			Medium - 17
5	Harm (Physical, Emotional & Psychological)	Youth Volunteer assaulted while travelling to/from Council Youth Advisory Committee (YAC) Meetings	Physical Harm [Major]	Unlikely [Inherent]		The YAC Program has informal protocols for mitigating YAC members exposure transiting to/from events (see comments). In addition, Meetings are held in an open meeting room. These protocols should be formally embedded in a Council Procedure.	Medium - 17

6	Harm (Physical, Emotional & Psychological)	Allegations of abuse towards staff who are administering First Aid to children at Council events & facilities.	Physical Harm & Possible Emotional Harm [Major]	Possible [Inherent] Unlikely [Residual]	Operations Manual's lists protocols for using First Aid Rooms and administering First Aid. All staff working with children undergo three yearly National Police Checks & five yearly Working with Children Checks First Aid officers receive appropriate training in administration of First Aid		Medium - 17
7	Harm (Physical, Emotional & Psychological)	Transgender youth subjected to Unfair Treatment at Council events & facilities.	Physical Harm & Possible Emotional Harm [Major]	Possible [Inherent] Unlikely [Residual]	Transgender attending Swimming Centres may use any change facilities and are recommended to use the family change facility. Alternatives change facilities, such as staff facilities, can be provided upon request. The Council maintains and <i>Access & Inclusion Strategy</i> and <i>Fair Treatment and Equal Opportunity Policy</i> and provides education in access & inclusion to staff and Volunteers.	Pool Operations Manual to be updated to include protocols for advising Transgender changeroom options and toilets.	Medium - 17
8	Harm (Physical, Emotional & Psychological)	Allegations of harm made towards Council staff who are attending to children during the course of their duties (ie cleaning/ entering change rooms at Council swimming pools & Child Care Centre).	Possible Emotional Harm [Major]	Unlikely [Inherent] Very Unlikely [Residual]	All staff working with children undergo three yearly National Police Checks & five yearly Working with Children Checks. Change rooms are closed for cleaning and where possible, are cleaned after hours. Staff of opposite sex do not enter changes rooms unless it is after hours.		Medium - 18
9	Harm (Physical, Emotional & Psychological)	Observed physical injuries or witnessed verbal harm directed towards child a Council event or facilities.	Physical Harm & Possible Emotional Harm [Major]	Unlikely [Inherent] Very Unlikely [Residual]	Staff are trained in Safe Environments and required to notify the CARL line. Facility hirers to implement appropriate controls to protect children using Council facilities.		Medium - 18
10	Neglect (Psychological & emotional Trauma)	Children unsupervised at Council events or facility.	Possible Emotional Stress [Moderate]	Possible [Inherent] Unlikely [Residual]	The Council maintains legislative attendance ratios of staff per child at the Swimming Centres and Child Care Centre. Facility hirers to implement appropriate controls to protect children using Council facilities.		Low - 21
11	Neglect (Psychological & emotional Trauma)	Unable to confirm whether patrons at Council events are the children(s) parent/ guardian.	Possible Emotional Stress [Moderate]	Possible [Inherent]			Medium - 18