

POLICY		Responsible Department	Executive (Governance)
		Original Adoption Date	01.11.10
		Current Adoption Date	25.07.23
		Date of Review	25.07.26

CHILD & YOUNG PEOPLE SAFE ENVIRONMENT POLICY	
Latest Review Changes	<p>Per recommendation from DHS, updated references to the following:</p> <ul style="list-style-type: none"> Under 3.6 Roles and Responsibilities - 'Child and Young People Safety Act 2017' to 'Children and Young Persons Safety Act' Under 4.1 Child Safe Environments - 'Department of Human Services to Australian Human Rights Commission' <p>Inclusion of reference to S64(a) Criminal Law Consolidation Act 1935 (SA) - <i>section 64A failure to report child sexual abuse (maximum penalty of 3 years imprisonment) and section 65 failure to protect a child from sexual abuse (maximum of 15 years imprisonment)</i> under 'Applicable Legislation'</p> <p>Removed the definition for 'Prescribed Person' and updated 'Mandated Notifier'</p> <p>Updated reference to 'financial harm' to the following "financial (for people under the age of 18 years) harm and risk of harm".</p> <p>Removed the following from 3. SCOPE as it is no longer relevant</p> <ul style="list-style-type: none"> <i>People who may be at risk of exploitation due to their age, abilities, gender or social economic or cultural background</i> <p>Added the following to 3.1 Recruitment Practices "<i>Council will verify the accuracy of all WWCCs in the DHS Screening Unit portal as required by law</i>".</p> <p>Updated wording under 3.2 Contract Management</p> <p>Removed legacy reference to the term 'abuse' and replaced with the term 'harm'</p> <p>Added 6.1 Strategies to Minimise Risk</p> <p><i>'Council will seek to identify and assess all potential and actual sources of harm and take reasonable steps to minimise the risk to children and young persons who access our services. Risk assessment tools will be used to determine if a child or young person is at risk. Strategies to minimise risks to children and young persons occur as part of our ongoing risk management process. A risk assessment tool is available to assist with the assessment of risk.'</i></p> <p>Minor amendments to wording in Attachment 2 – Risk Assessment: Child Safe Environments</p> <p>Removed the following from the Risk Assessment as the provisions ceased in September 2022:</p> <ul style="list-style-type: none"> <i>Effective February 2022, Council follow the Department of Human Services (DHS) guidelines 'work on application' provision which means Council can continue to provide key services to children & young people</i> <i>Employees/volunteers must meet the eligibility criteria as set out by the DHS and must provide evidence of their 'Work on Application' email to their Manager/Supervisor/Team Leader</i>
Previous Council Reviews	25.10.2017, 25.10.2018, 30.01.2019, 27.01.2021

Applicable Legislation

South Australian Legislation

- Local Government Act 1999
- Children and Young People (Safety) Act 2017 (SA)
- Children and Young People (Safety) Regulations 2017 (SA)
- Child Safety (Prohibited Persons) Act 2016 (SA)
- Child Safety (Prohibited Persons) Regulations 2019 (SA)
- Child Sex Offenders Registration Act 2006 (SA)
- Criminal Law Consolidation Act 1935 (SA) S64A
- Equal Opportunity Act 1984 (SA)
- Freedom of Information Act 1991 (SA)
- Disability Services Act 1993 (SA)

Child Safe Environments – Principles of Good Practice

Commonwealth Legislation

- Disability Discrimination Act 1992 (Cth)
- Disability Services Act 1993
- Family Law Amendment (Child Protection Convention) Act 2002
- Human Rights and Equal Opportunity Commission Act (Cth)
- Sex Discrimination Act 1984

National Principles for Child Safe Organisations 2019

Commonwealth Child Safe Framework 2nd Edition 2020

Related Policies, Procedures and Reference Materials

Employee Code of Conduct

Equal Opportunity Discrimination Harassment and Workplace Bullying Policy

Public Consultation Policy

Complaints Policy

Code of Conduct for working with children and young people

Code of Conduct for Volunteers

Grievance Policy

Mandatory Reporting https://dhs.sa.gov.au/_data/assets/pdf_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF

Managing the Risks of Abuse - <https://professionals.childhood.org.au/prosody/2015/07/smart-online>

Guideline Working with Children Checks

Keeping our kids safe - <https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe/>

Reference Documents

National Principles for Child Safe Organisations

<https://dhs.sa.gov.au/services/community-and-family-services/child-safe-environments/national-principles-for-child-safe-organisations>

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1. PURPOSE

The Municipal Council of Roxby Downs (Roxby Council) are committed to the safety and wellbeing of children and young people who access our services.

Roxby Council;

- Provides and promotes a diverse, safe and nurturing environment throughout our services and facilities for children and young people regardless of their abilities, gender, social economic or cultural background.
- Ensures that children and young people are valued, respected and encouraged to participate.
- Makes certain that the safety and protection of children and young people is always the first priority.
- Supports the rights of Children and young people of diverse backgrounds, ages, abilities and identities.
- Provides and ensures a safe environment is maintained at all times.
- Does not tolerate bullying and harassment under any circumstance.
- Displays information about services that can assist children and young people in areas accessed by them.

Examples of this are posters relating to:

- Kids Helpline on 1800 55 1800
- Youth Helpline on 1300 13 17 19
- Beyond Blue on [1300 22 46 36](https://www.beyondblue.org.au)

Council staff who work with or around children and young people ensure they are treated with fairness, are valued members of our community and encourage them to participate in local activities and events, including Council's Leadership in Action Program,

This policy, together with our suite of policies and procedures, aims to ensure that all Council employees, work experience students/individuals, volunteers, contractors and consultants undertaking work on behalf of Council, are aware of the legislative requirements and their duty of care to provide for the protection, safety and wellbeing of children and young people.

Legislation requires Council to put in place appropriate policies and procedures to ensure instances of harm and risk of harm are reported to the Department for Child Protection and SAPOL . Roxby Council's policies, procedures and position descriptions ensure our people are

- ▶ aware and accountable for their responsibilities,
- ▶ hold the relevant employment screenings, and;
- ▶ receive the required training and development in relation to working with children and young people.

2. DEFINITIONS

Act	Refers to the <i>Children and Young People (Safety) Act 2017 (SA)</i> .
Child or Young Person	refers to a person under the age of 18 years.
Complainant	Person who makes a complaint.
Diversity	Refers to the practice or quality of including or involving people from a range of different social and ethnic backgrounds and of different genders, sexual orientations.

Employment Screening	Refers to a type of formal background check. Any clearance required by a Council employee or potential Council 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	Section 17 of <i>the Act</i> defines 'harm' to mean physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.
Immediate Risk	means an immediate and impending threat of a person causing substantial physical injury to self or others.
Mandated Notifier	Refers to an officer or employee of a prescribed organisation (as per s30(3) and s114 of the <i>Children and Young People (Safety) Act 2017</i>) 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.
Mandatory Notification	The requirement for a person to report to the Department for Child Protection via the Child Abuse Report Line (CARL) if they suspect on reasonable grounds that a child/young person has been or is being harmed or 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.
National Police Check	Refers to a summary of an individual's offender history in Australia and a record of their criminal history relating to convictions, finding of guilt or pending court proceedings. They are available from South Australia Police (SAPOL), or organisations accredited by the Australian Criminal Intelligence Commission.
Reasonable grounds	Reasonable grounds to form a suspicion that a child or young person may be at risk may include: <ol style="list-style-type: none"> 1) when a child or young person tells you they are at risk of harm or have been harmed 2) when your own observations of a particular child or young person's behaviour and/or injuries lead you to suspect they are at risk, or harm is occurring 3) when a child or young person tells you that they know of someone who is at risk of harm or has been harmed (they may be referring to themselves) 4) when you hear about harm or risk to a child or young person from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of the child or young person.
SAPOL	South Australian Police. Dial 000 in an emergency or 131 444 for Police assistance
Working with Children Check	Refers to people working or volunteering with children in South Australia must, by law, have a valid, not prohibited Working with Children Check. A Working with Children Check is an assessment of whether a person poses an unacceptable risk to children. As part of the process, the Screening Unit will look at criminal history, child protection information and other information.

3. SCOPE

This policy aims to ensure Council's organisation and facilities are safe environments for children and young people and that they are protected from harm and risk of harm. This policy also aims to ensure that all relevant Council Managers, Employees, Volunteers, Contractors and Consultants are aware of their duty of care and responsibilities for the protection, safety and wellbeing of children and young people at all times.

Council believes that every child and young person has a right to be safe from harm and;

- takes a preventative, proactive and participatory stance on children and young people protection issues;
- listens to and consults with children and young people;
- values and embraces the opinions and views of children and young people;
- encourages and assists children and young people to build skills that will assist them to participate in society, and achieve their full potential, and;
- takes action to protect children and young people from physical, sexual, psychological, or financial (for people under the age of 18 years) harm and risk of harm.

Council is committed to the safety and wellbeing of children and young people who access our services. We support the rights of children and young people in our community and will act without hesitation to ensure a safe environment is always maintained.

The primary consideration in planning any activity for children and any other young people will be the overriding importance of ensuring that it contributes to their wellbeing and does not expose them to harm, including the risk of physical, sexual, psychological, or financial harm and risk of harm.

We also support the rights of our employees, work placement individuals, volunteers and agency staff and encourage their active participation in building and maintaining a secure environment for all children and young people. This includes supporting them to report when they suspect incidents of harm and risk of harm of a child or other young person.

Children and young people includes children under the age of 18 years.

3.1. Recruitment Practices

Council takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with, and provide services to, children and other young people.

Applicants for prescribed positions will be screened for their suitability to provide services. Screening will involve a *Working with Children Check (WWCC)* (through the Screening Unit of the Department of Human Services), interviews, reference checks (focusing on questions about the applicant's previous experience and suitability to work with children or young people), checking qualifications and previous employment history in working with children. Council will immediately contact the Department of Human Services Screening Unit should we become aware of any information regarding any person involved with Roxby Council's organisation, including any serious criminal offence, child protection information, or disciplinary or misconduct information.

All staff and volunteers (over the age of 14 years) working with children and young people must hold a current, 'not prohibited' WWCC issued by the Screening Unit of the Department of Human Services. A DCSI clearance can be held until it expires then a WWCC from DHS must be obtained. Council will verify the accuracy of all WWCC's in the DHS Screening unit portal as required by law.

Council operates in a manner to ensure that the legislative obligations of the *Child Safety (Prohibited People) Act 2016* are met.

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

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.

Employees and volunteers are provided with a copy of this Policy and the Code of Conduct during their induction.

3.2. Contract Management

- i. Contractors/consultants conducting work on Council premises that are not working directly with children or young persons are supervised by staff that hold a current Working with Children Check.
- ii. Contractors/consultants engaged to provide a service that requires them to work directly with children or young people must provide the contract manager with a copy of a valid WWCC prior to commencement.

3.3. Feedback and Complaints

Roxby Council's website has a Customer Feedback page that provides the public with online, written and verbal options for lodgement of a suggestions, compliments or complaints regarding our services. All submissions are reviewed and responded to.

Council welcomes complaints and feedback as a way of improving its services and programs as well as providing an opportunity to put things right. The Complaints Policy has been made accessible to ensure that customers are fully aware of their right to complain. Information about how to lodge a complaint is available on Council's [website](#).

All complaints are recorded in Council's Records Management system. The information can also be analysed for service improvement opportunities. Complainants will be advised of the likely timeframe required to investigate and resolve their complaint and regularly updated on the progress of their complaint.

Council employees are trained to manage complaints efficiently and effectively and are provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

Roxby Councils Complaints Policy is available (without charge) on the website by clicking [here](#) or in hard copy from the Council Office, 6 Richardson Place, Roxby Downs.

3.4. Supervision, Training And Support for Employees and Volunteers

Roxby Council ensure appropriate supervision, training and support is in place for all employees, volunteers contractors and consultants, that are required to work with, and support children and young people. This training includes how to recognise, report and respond to suspected harm and risk of harm.

Employees and Volunteers that work with children and young people within council facilities are provided with the following:

Training

- Youth Mental Health (Mental Health First Aid Australia)
- Disability Inclusion Training (Purple Orange)

Resources

- Keeping our kids safe – developed by SNAICC
<https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe>
- Mandatory Notification Information Booklet
https://dhs.sa.gov.au/_data/assets/pdf_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF

Mandated Notifiers are also required to undertake the following:

Training

- Safe Environments for Children and Young People - Through Their Eyes – (Jemgrass Health & Safety Training)

Resources

- Keeping our kids safe – developed by SNAICC
<https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe>
- Mandatory Notification Information Booklet
https://dhs.sa.gov.au/_data/assets/pdf_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF

To ensure Council aligns with best practice and employees and volunteers maintain their knowledge, refresher training is provided every 3 years.

Professional development opportunities to build knowledge and skills regarding the wellbeing and development of children and young people are available to employees.

3.5. Reporting of Suspicion that a Child or Young Person may be at Risk

Employees that provide services directly to or supervise employees that provide services to children have obligations under the *Children and Young People (Safety) Act 2017* (Chapter 5) to notify the Child Abuse Report Line (CARL) 131 478 if they suspect, on reasonable grounds, that a child is, or may be at risk of harm and the suspicion is formed in the course of their employment (paid or voluntary). Refer to the *Decision Tree at [Attachment 1](#)*

If employees or volunteers suspect, on reasonable grounds, that a child or young person is or may be at immediate risk of harm, they are to notify the South Australian Police (SAPOL) by calling 000 or 131 444 for Police Assistance.

Roxby Council is committed to ensuring that employees are aware of their obligations, in relation to recognising, reporting and responding to suspected harm and risk of harm. 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, volunteers, contractors or consultants are perpetrators of harm and/or risk of harm in the workplace, towards a child or young person, this will be reported to the appropriate authorities and investigations undertaken will be guided by the authorities including the Department for Child Protection and SA Police as required.

3.6. Roles and Responsibilities

- Council is responsible under the *Children And Young People (Safety) Act 2017* (chapter 8, 114 and 115) for ensuring that appropriate policies and procedures are developed for ensuring that the child safe environments are established and maintained, and that appropriate reports of harm and risk of harm are made by mandated notifiers working in prescribed positions.
- Chief Executive is accountable to council and has specific responsibilities under the child and young people (safety) act 2017 (chapter 8, 114), which includes (but is not limited to) development of codes and principles of conduct, development of procedures, ensuring the dissemination of information about child harm and risk of harm, and monitoring the application of this within council.
- Managers and supervisors are accountable for providing an environment where children and young people are safe and protected from harm by adhering to this policy and the children and young people procedure.

- Council employees, volunteers, contractors or consultants who provide services on behalf of council have a role to play in providing a safe environment for children and young people, where they are protected from harm and risk of harm and for complying with this policy and the code of conduct for working with children and young people.

Note: Whilst the obligation to report suspicions of harm and risk of harm rests with mandated notifiers, employees, contractors and volunteers are also encouraged to seek advice and support from their Group Manager, Team Leader, Supervisor or Contract Manager in relation to suspicions of child harm and risk of harm, noting that the person who identifies the harm is the person to make the report to CARL/SAPOL. This practice will ensure that children and young people are supported to be safe, employees, contractors and volunteers are appropriately supported, records are kept confidential and secure, and any organisational responsibilities in addition to the mandatory reporting obligation are pursued where relevant.

4. LEGAL OBLIGATIONS

4.1. Child Safe Environments

Section 114 of the Act requires Councils to have policies and procedures in place for ensuring:

- child safe environments for children and young people are established and maintained within the organisation;
- mandatory reporting obligations (as set out in Chapter 5, part 1 of the Act) are complied with.

The policies and procedures must comply with the *National Principles for Child Safe Organisations* issued by the Australian Human Rights Commission.

4.2. Mandatory Reporting

Section 30(3) of the Act prescribes mandated notifiers as any Council employee, contractor, consultant, volunteer or person undertaking educational or vocational training that provides health, welfare, education, sporting or recreational, childcare 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
- is an officer or employee of Roxby Council who holds a management position (i.e. Chief Executive or Group Manager), the duties of which include direct responsibility for, or direct supervision of, the provision of services to children and young people.

Mandated notifiers must report any suspicion of harm or risk of harm of a child to the Child Abuse Report Line (CARL).

Telephone: 13 14 78 (24 hours a day, 7 days a week)

Website: <https://my.families.sa.gov.au/IDMProv/landing.html>

Should a child or young person be at immediate risk contact SAPOL by dialing 000

5. APPLICATION OF THE POLICY

The policy will apply from the date of approval by Council to all employees, students on placement, work experience students, volunteers, contractors and consultants providing services wholly or partly to children, or who work with or near children.

The Children and Young Persons Safe Environment Policy will be communicated to all relevant audiences to ensure awareness and understanding of Council's commitment to ensuring a safe environment. This will include staff, volunteers, contractors, consultants, parents, carers, and children where relevant.

6. POLICY AND PROCEDURE STANDARDS

Roxby Council is committed to ensuring the organisation and Council facilities are safe environments for children and young people. In particular, the following standards reflect the guidance provided by DHS on appropriate standards of conduct for adults in dealing with children.

6.1. Strategies to Minimise Risk

Council will seek to identify and assess all potential and actual sources of harm and take reasonable steps to minimise the risk to children and young persons who access our services. Risk assessment tools will be used to determine if a child or young person is at risk. Strategies to minimise risks to children and young persons occur as part of our ongoing risk management process. A risk assessment tool is available to assist with the assessment of risk. Refer **Attachment 2 - Risk Assessment**

The implementation of the following policy and procedure documents will assist in managing risk.

- Code of Conduct (Employees)
- Code of Conduct (Volunteers)
- Records Management Policy
- Volunteer Management Policy
- Risk Management Policy
- Risk Management Procedure

6.2. Key Risks

The following table outlines some of the key risks to children and young people within Councils organisational setting.

RISKS TO CHILDREN	
Unintentional/accidental harm	Physical harm
<ul style="list-style-type: none"> - Poor physical environment leading to injury - Poor supervision - High-risk activity - Lack of risk mitigation strategies in place 	<ul style="list-style-type: none"> - Physical punishment - Pushing, shoving - Punching, slapping, biting, kicking
Psychological harm	Cultural harm
<ul style="list-style-type: none"> - Bullying - Threatening language - Shaming - Intentional ignoring and isolating (either face-to-face, online or via other technology) 	<ul style="list-style-type: none"> - Lack of cultural respect - Racial or cultural vilification or discrimination - Lack of support to enable a child to be aware of and express their cultural identity
Neglect	Sexual abuse
<ul style="list-style-type: none"> - Lack of supervision - Not providing adequate nourishment - Not providing adequate clothing or shelter - Not meeting the specific physical or cognitive needs of children 	<ul style="list-style-type: none"> - Sexual abuse, assault and exploitation - Grooming - Inappropriate touching - Inappropriate conversations of a sexual nature (either face-to-face, online or via other technology) - Crossing professional boundaries

6.3. Risk Matrix

Determining the severity of risks identified assists Council to plan responses and resource allocations. Councils Risk Matrix is used as a tool to assist in determining risk levels.

The left hand Column rates the likelihood of risk, the row across the top suggests the level of concern if it occurred. Where they meet determines the risk rating.

Likelihood of Event Occurring	Level of Concern		
	Minor Concern	Moderate Concern	Great Concern
Likely	Low Risk	High Risk	High Risk
Possible	Low Risk	Medium Risk	High Risk
Unlikely	Low Risk	Low Risk	Medium Risk

6.4. Codes of Conduct

All employees, volunteers and contractors will be required to comply with the code of conduct endorsed by Council which sets out standards of conduct when providing services to children. The Code of Conduct for Working with Children and Young People (**Attachment 3**) is supported by Council's grievance procedure to address breaches of the Code of Conduct.

6.5. 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 procedures where relevant.

6.6. Training

Staff who work with children and young persons are provided with supervision, support and training to ensure they can maintain a safe environment and are able to identify and respond to suspicions of abuse or neglect.

Staff who are mandated notifiers receive appropriate and regular training session and updates on their mandatory reporting obligations.

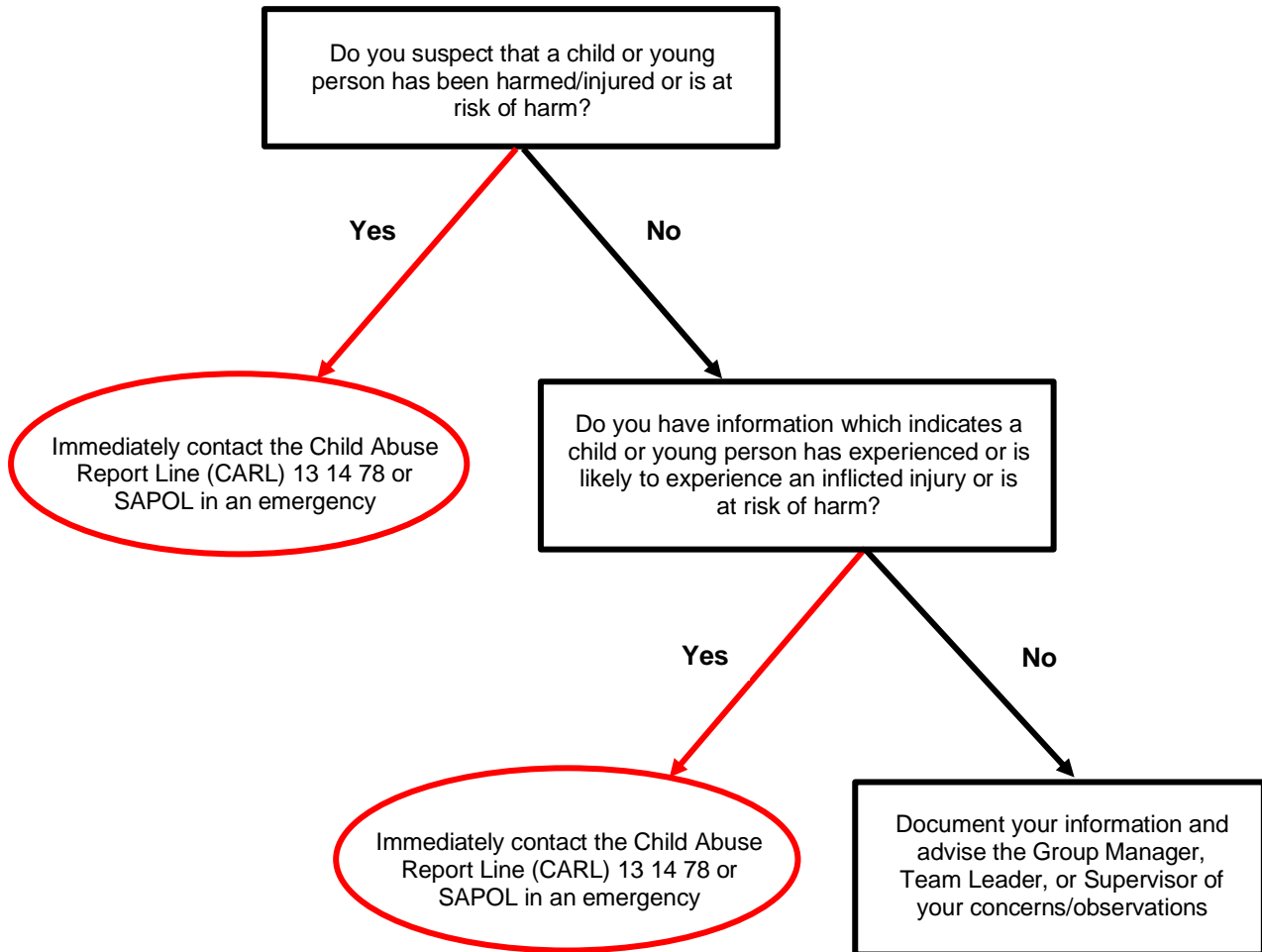
7. POLICY REVIEW

The Children and Young Persons Safe Environment Policy will be reviewed every 2 (two) years to ensure compliance with legislation, and effective maintenance of a safe environment.

8. AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.roxbydowns.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

PHYSICAL HARM/RISK OF HARM



Guidance

Caution needs to be exercised where there are concerns about a child or young person's injuries. If there is concern that the child or young person's situation does not clearly fit the decision tree and they appear to have been harmed/injured or show signs of any risk of harm, a report should immediately be made in any case.

ATTACHMENT 2 – Risk Assessment: Child Safe Environments



RISK ASSESSMENT – CHILD SAFE ENVIRONMENTS

Person Responsible: Group Manager Lifestyle, Sport & Community **Date of Review:** July 2022

Approved by: Chief Executive **Date of next review:** 01 June 2027

Date: July 2022

Organisation Name: Municipal Council of Roxby Downs

Purpose: Child and Young Person Safe Environment

Locations: Roxby Link

RISK NAME AND DESCRIPTION	LIKELIHOOD	CONSEQUENCE	CURRENT RISK ASSESSMENT	WHO IS RESPONSIBLE	RESIDUAL RISK	ACTIONS TO MINIMISE RISK
Culture of organisation is not child-safe focused	Unlikely	Major	Medium	Group Manager Lifestyle, Sport & Community	Low	<ul style="list-style-type: none"> Child and Young Person Safe Environment Code of Conduct is in place that sets the behavioural standards expected by employees, contractors and volunteers, including what happens when a breach occurs. Culture of management reflects the strong commitment of Roxby Council to the safety of children and young people. National Principles for Child Safe Organisations are embedded in Councils policies and procedures. Council meet the requirements of the Children and Young People (Safety) Act 2017 (which mandates child safe environments) and the Child Safety (Prohibited Persons) Act 2016 (which mandates Working with Children Checks (WWCC)).

RISK NAME AND DESCRIPTION	LIKELIHOOD	CONSEQUENCE	CURRENT RISK ASSESSMENT	WHO IS RESPONSIBLE	RESIDUAL RISK	ACTIONS TO MINIMISE RISK
Organisational staff (including employees, contractors and volunteers) harm children/young people	Possible	Severe	Medium	Chief Executive/Group Manager Lifestyle, Sport & Community	Low	<ul style="list-style-type: none"> Councils recruitment processes includes the undertaking of reference checks to ensure the suitability of persons before they are employed/volunteer with our organisation is completed. Interview questions gauging an applicant's understanding of Child-safe principles and actions that would be taken to prevent harm to children and young people within our organisation. All employees and volunteers must have WWCC with a 'not prohibited' result prior to working with children and young people within our organisation. Council will verify all WWCCs for accuracy in the DHS Screening Unit portal. In line with councils Child and Young Person Safe Environment Policy, WWCC's are updated every 5 years. Councils Children and Young Persons Safe Environment Policy is made available to children, young people and families that visit Councils facilities.
Third party contractors (while delivering services for the organisation) harm children/young people	Unlikely	Moderate	Medium	Chief Executive/Group Managers	Low	<ul style="list-style-type: none"> Councils Children and Young Persons Safe Environment Policy and Code of Conduct is made available to contractors carrying out work on behalf of Council prior to the commencement of any works. If children or young people are harmed within our organisation, we will support them and their families by: <ul style="list-style-type: none"> following Councils reporting guidelines and decision tree; and, responding to the harm/risk of harm procedure within our policy which clearly sets out the process for reporting to CARL/SAPOL and connecting those impacted with appropriate support services

RISK NAME AND DESCRIPTION	LIKELIHOOD	CONSEQUENCE	CURRENT RISK ASSESSMENT	WHO IS RESPONSIBLE	RESIDUAL RISK	ACTIONS TO MINIMISE RISK
Council holds overnight and/or off-site activities with children/young people	Unlikely	Moderate	Medium	Group Manager Lifestyle, Sport & Community	Low	<ul style="list-style-type: none"> For overnight activities (e.g. camps and excursions), children and young people must be supervised by a minimum of 2 adults of the same gender as the children attending. Recruitment processes including undertaking referee checks to ensure the suitability of persons before they are employed/volunteer with our organisation is completed. All employees/volunteers over the age of 14 years have a 'not prohibited' WWCC.
Recruitment of a 'prohibited person' within the organisation or contracting with a third party that does not have a Working with Children Check (WWCC) or a child safe environments compliance statement	Unlikely	Major	medium	Chief Executive/Group Managers/Human Resources/Team Leaders	Low	<ul style="list-style-type: none"> Councils recruitment processes includes the undertaking of referee checks to ensure the suitability of persons before they are employed/volunteer with our organisation is completed. All employees/volunteers must hold a 'not prohibited' WWCC prior to commencement of employment Third Party contractors who do not hold a WWCC will be escorted throughout Council facilities. Third party contractors who are to work with children/young people will not be able to commence the contract until Council has verified the WWCC in the DHS Screening Unit portal.
Children/young people are not supported when harm occurs	Possible	Moderate	Low	Group Managers/Team Leaders	Low	<ul style="list-style-type: none"> Children and young people have a right to be safe within our organisation. They are encouraged and supported to report incidents in a confidential, secure and private manner. Complaints processes are in place and promoted to children, young people and their families to make sure that they feel safe reporting to the organisation. Children/young people will be supported to identify a suitable service for support after a notification of harm has been made.
Unquestioning trust of long term employees, contractors or volunteers	Unlikely	Minor	Low	Human Resources/Group Managers/Team Leaders	Low	<ul style="list-style-type: none"> Strategies developed to embed culture of child safety Clear child safety reporting procedures . 3 (three)Yearly refresher training for staff working with Children or young people.

RISK NAME AND DESCRIPTION	LIKELIHOOD	CONSEQUENCE	CURRENT RISK ASSESSMENT	WHO IS RESPONSIBLE	RESIDUAL RISK	ACTIONS TO MINIMISE RISK
Taking images of children and young people	Likely	Minor	Low	Communications & Engagement/ Group Managers/ Team Leaders	Low	<ul style="list-style-type: none"> When taking images of children and young people, Council must have consent of both the child/young person and the parent/guardian. Photo Consent forms have been developed and are available within the records management system, for employees to provide to parents of minors. <ul style="list-style-type: none"> Consent Form for Children – Magiq Doc ID #247979 Consent Form for Adults – Magiq Doc ID #247980
Review of Children and Young People Safe Environment Policy and Code of Conduct	Likely	Minor	Low	Executive Support	Low	<ul style="list-style-type: none"> Councils Children and Young Persons Safe Environment policy and Code of Conduct is reviewed at least once in every 5-year period. When this happens a new child safe environments compliance statement is lodged with the Department of Human Services
Training not provided or not maintained for employees who work with children and young people	Unlikely	Minor	Low	Human Resources/Group Managers/Team Leaders	Low	<ul style="list-style-type: none"> Organisational staff (including managers, employees and volunteers) undertake the following training to understand their obligations to report harm and risk of harm. <ul style="list-style-type: none"> Youth Mental Health (Mental Health First Aid Australia) Disability Inclusion Training (Purple Orange) Safe Environments for Children and Young People - Through Their Eyes – (Jemgrass Health & Safety Training) Refresher training is provided to employees/volunteers least once every 3 (three) years

Review and Evaluation

This risk assessment will be reviewed every 5 (five) years, in line with the associated Policy & code of Conduct, to ensure compliance with Department for Human Services standards, and effective maintenance of a safe environment.

ATTACHMENT 3 – Code of Conduct: Working with Children and Young Persons

Code of Conduct		Department	Lifestyle Sport & Community
		Original Adoption Date	12.02.14
		Date of Adoption	27.07.22
		Date of Next Review	30.06.27

Working with Children and Young Persons

This Code of Conduct is related to the Children & Young Persons Safe Environment Policy.

1. STATEMENT

Caring for children and young persons brings additional responsibilities for employees, contractors and volunteers of this organisation. This Code of Conduct has been developed to meet the requirements of section 114 of the *Children and Young People (Safety) Act 2017*.

2. DEFINITIONS

Children or Young Persons refers to a person under the age of 18 years

3. PRINCIPLES

3.1. Supportive Behaviours

All employees and volunteers of our organisation are responsible for promoting and protecting the safety and wellbeing of children and young people by:

- sticking to the organisation's Children and Young Persons Safe Environment Policy at all times and taking all reasonable steps to ensure the safety and protection of children and young people
- treating everyone (this includes staff, volunteers, students, children, young people and parents) including those of different race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical ability or attributes and religious beliefs with respect and honesty and ensure equity is upheld
- being a positive role model to children and young people in all conduct with them
- setting clear boundaries about appropriate behaviour with the children and young people in our organisation – boundaries help everyone to understand their roles
- listening and responding appropriately to the views and concerns of children and young people
- being alert to bullying behaviours and responding promptly and appropriately
- ensuring another adult is always present or in sight when conducting one to one coaching, instruction or other activity
- being alert to children and young people who are, or may be at risk of harm, and reporting this quickly to the Child Abuse Report Line (CARL) 13 14 78
- responding quickly, fairly and transparently to any serious complaints made by a child, young person or their parent/guardian
- encouraging children and young people to 'have a say' on issues that are important to them.

3.2. Unacceptable Behaviours

All employees, contractors and volunteers of Council must not:

- engage in rough physical games with children or young persons
- hit or physically assault a child or young person
- develop any 'special' relationships with children and young people that could be seen as favouritism such as the offering of gifts or special treatment

- do things of a personal nature that a child or young person can do for themselves, such as toileting or changing clothes
- discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability or sexuality.

3.3. Breach of the Code of Conduct

All employees, contractors and volunteers have a responsibility for promoting and supporting these values and standards of behaviour. Any reported breach of this Code of Conduct will be investigated. Depending on the findings of an investigation, disciplinary action may be taken and may include, but is not limited to, formal warning, counselling or termination of employment.

3.4. Employee Rights

Employees are entitled to representation in the consideration of alleged non-compliance with this Code. The principles of fairness, equity and natural justice will apply to investigation and management of the matter. Investigations undertaken regarding compliance with the Code will be kept confidential, excluding any mandatory reporting requirements to external bodies, for example, South Australian Police (SAPOL).

3.5. Reporting

All staff, contractors, volunteers and those accessing Council have a role in supporting this Code of Conduct by raising their concerns with the relevant Group Manager, Team Leader or Supervisor.

Any questions of compliance raised by staff or the community regarding the Code will be considered by the Chief Executive.

If you have questions or difficulty understanding this Code of Conduct, you should discuss these with your Group Manager, Team Leader or Supervisor in the first instance.

4. REVIEW

This Code of Conduct will be reviewed at least once in every five (5) years unless Legislative changes are made requiring an interim review.

5. AVAILABILITY

This Policy is available for inspection without charge at the following location during ordinary business hours:

- Principal Office, 6 Richardson Place, Roxby Downs 5725
- Council Website: <https://www.roxydowns.sa.gov.au/council/about-roxy-council/policies>

6. REFERENCES & FURTHER READING

References	<ul style="list-style-type: none"> • Department of Human Services SA – Developing a code of conduct. Accessed 24/06/2022 via https://dhs.sa.gov.au/services/community-and-family-services/child-safe-environments/developing-a-code-of-conduct • Department of Human Services SA - Sample Code of Conduct for a Child Safe Organisation. Accessed 26/06/2022 via https://dhs.sa.gov.au/_data/assets/word_doc/0018/102663/Code-of-Conduct-Template.docx
Relevant Legislation	<ul style="list-style-type: none"> • <i>Children & Young People (Safety) Act 2017</i> • <i>Children & Young People (Safety) Regulations 2017</i> • <i>Child Safety (Prohibited Persons) Act 2016</i> • <i>Child Safety (Prohibited Persons) Regulations 2019</i> • <i>Criminal Law Consolidation Act 1935 S64(a)</i>
Relevant Policies, Procedures and Guidelines	<p>This Code of Conduct should be read in conjunction with:</p> <ul style="list-style-type: none"> • Child & Vulnerable Persons Safe Environments Policy • Code of Conduct for Council Employees • Code of Conduct for Volunteers

7. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No	Issue Date	Authorised by	Description of Change
1	12.02.14	Council	Adopted
2	12.02.16	Manager Corporate Strategy and Governance	Minor formatting changes
3	02.02.17	Manager Corporate Strategy and Governance	Minor formatting Changes
4	29.01.20	Council	Amended from an SOP to Code of Conduct, Updated to Supportive Behaviours to include contact details for the Child Abuse Hotline, Unacceptable Behaviour – inclusion of wording “Unacceptable behaviour may include (but not be limited to) the following:” and addition of new definitions of unacceptable behaviour, Update Authoriser title
5	27.07.22	Council	Amended to comply with Legislative changes. Removed reference to ‘abuse’ & ‘risk of abuse’ and replaced with ‘harm’ and ‘risk of harm’. Included source of reference documents to resources. Included ‘Definitions’. Formed CoC on sample Code sourced from Department of Human Services.

8. ACKNOWLEDGEMENT

I agree to abide by this code of conduct

Name:

Signature:

Date:

_____ / _____ / _____