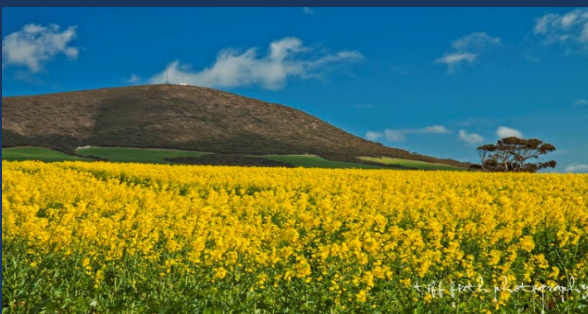
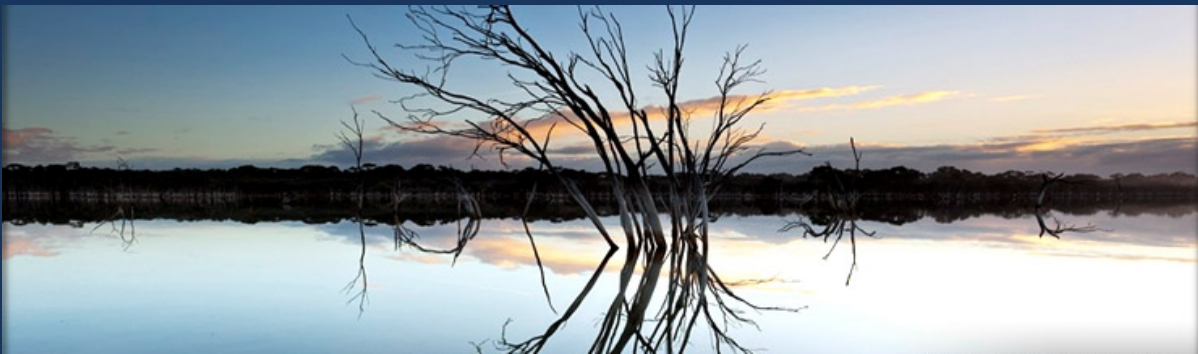


Child and Vulnerable Persons Safe Environment Policy



“Working with our Rural & Coastal Communities”

	GOV-POL-16 – CHILD AND VULNERABLE PERSONS SAFE ENVIRONMENT POLICY	Version No:	1.0
		Issued:	February 2024
		Next Review:	November 2026

Responsible Department:	Corporate Services
Policy Adopted:	21/02/2024
Minutes Reference:	OCM/24/024
Applicable Legislation:	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); Criminal Law Consolidation Act 1935; National Principles for Child Safe Organisations; The Office for Ageing (Adult Safeguarding) Act 1995; The Office for Ageing (Adult Safeguarding) Amendment Act 2018
Related Policies/Procedures/Codes:	GOV-COD-01 Employee Code of Conduct GOV-COD-02 Elected Members Code of Conduct GOV-POL-15 Risk Management Policy GOV-POL-17 Privacy Policy HR-POL-01 Volunteers Policy HR-PRO-01 - Volunteer Management Procedure Volunteers Code of Conduct
Review Period:	Following Council Elections

1. PURPOSE

The Lower Eyre Council (Council) is committed to promoting and protecting the safety and well-being of all children, young people and vulnerable people. We recognise the importance of establishing and maintaining a safe environment where bullying and harassment will not be tolerated and where everyone is valued regardless of their abilities, sex, gender, or social economic or cultural background.

This policy aims to support a consistent standard of best practice across Council in safeguarding children, young people and vulnerable people. This will be achieved through an organisation wide commitment embedded in policies, behaviours and practices.

2. SCOPE

This policy applies to all Council workers, this includes any person carrying out work for Council whether they are mandated notifiers or not.

3. POLICY

A safeguarding organisation is the product of a range of strategies, behaviours, record keeping and initiatives. The following policy principles promote a safeguarding organisation.

3.1 Safeguarding culture

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

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3. POLICY

CONT'D:

3.2 Empowerment and participation

Council encourages and respects the views of children, young people and vulnerable people who access Council services. Where appropriate, Council will involve them in decision making and listen and act upon any feedback or complaints that they and/or their families/carers raise with us.

Council ensures that children, young people and vulnerable people and their families/carers know their rights; how to access services, and/or advice; and the complaints processes available to them. Information on services and programs, aiming to connect young people and vulnerable people to a range of activities, events, services and information are available on the council's website or by contacting Council.

3.3 Recruitment

Council ensures that vigorous screening processes occur so that only suitable and appropriate people work with children, young people and vulnerable people.

In accordance with the Child Safety (Prohibited Persons) Act 2016, Council is registered with the Department of Human Services Screening Unit and all Working with Children's checks (WWCC) are linked. All workers who will be working in a role with children and young people must hold a current, not prohibited WWCC issued by the Screening Unit of the Department of Human Services, provide evidence of this prior to employment and renew this every 5 years. Council will verify the accuracy of all WWCCs in the Department of Human Services Screening Unit portal as required by law.

3.4 Training

- 3.4.1. Council will ensure that all staff and volunteers who work with children, young people and vulnerable people are provided with supervision, support and refresher training (every three years), to ensure they can maintain a safe environment and are able to identify and respond to suspicions of risk of harm.
- 3.4.2. Workers who are mandated notifiers will receive appropriate and regular training from DHS endorsed providers. Updates to mandatory training obligations will be recorded in Council's electronic records database to manage reminders for the training to occur.

3.5. Responding to harm or risk of harm

- 3.5.1 Council recognises that all workers have a moral responsibility to ensure the safety of children, young people and vulnerable people. Workers who do not have a legal obligation, as mandated notifiers, may make voluntary notifications, if they have a reasonable concern that there is a risk.
- 3.5.2 Council ensures that all workers:
 - Are able to identify, report and respond to children, young people and vulnerable people at risk of harm and;

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3. POLICY

CONT'D:

3.5. Responding to harm or risk of harm

cont'd:

- Understand their obligations to
 - notify the Child Abuse Report Line (CARL) on 13 14 78 immediately if they have a suspicion that a child or young person may be being harmed or is at risk of harm.
 - Contact South Australian Police (SAPOL) immediately on 000 if it is believed that a child, young person or vulnerable person are in immediate danger or a life-threatening situation.
 - Contact the South Australian Police if they suspect that a child or young person is being sexually abused.
 - Contact the South Australian Abuse Prevention Phone Line on 1800 372 310 or make a report to the Adult Safeguarding Unit website if they suspect that a vulnerable adult is at risk or harm and/or is being harmed.
 - Mental health triage on 131465 in a mental health emergency.

3.5.3 Council supports mandated notifiers to meet their statutory obligations to report any reasonable suspicion that a child or young person is at risk of harm as required under Section 30 and 31 of the Children and Young People (Safety) Act 2017 (SA).

3.5.4 Mandated notifiers have access to information and training resources to ensure they understand their personal and organisational obligations for child safety and protection. This includes being directed to relevant information resources including:

- [Department for Human Services Child Safe Environments website](#)
- [Department for Child Protection website](#)

3.5.5 In the event that a worker makes a report they will, as soon as practicable, inform their manager, and the Director Corporate & Community Services. The Director Corporate & Community Services will provide advice on what internal reporting will be required and the supports available.

3.5.6 Council recognises the importance of taking complaints or allegations raised by or about workers seriously. The Lower Eyre Council will deal with them promptly, impartially and confidentially in accordance with the procedures outlined in Council's Grievance Resolution Procedure and disciplinary processes, ensuring procedural fairness for the employees as required by law, whilst taking any and all precautions required to protect any third parties.

3.6 Privacy of children and vulnerable people

3.6.1 Maintaining the privacy of children, young people and vulnerable people who participate in Council services is paramount in ensuring their safety and wellbeing. All personal information recorded respects the privacy of the individuals involved unless there is a risk to someone's safety.

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3. POLICY

CONT'D:

3.6 Privacy of children and vulnerable people

cont'd:

3.6.2 All records are stored in accordance with the Lower Eyre Council Records Management Policy and State Records of South Australia's General Disposal Schedules.

3.6.3 The release of images of a child, young person or vulnerable person to the public has the potential to adversely impact their safety and well-being. As such, Council will obtain permission from a child or vulnerable people in writing, or their parent/guardian as required, before taking an image (excluding when those pictures occur in a generalised 'event setting' in a public place.

When gaining consent, the child or vulnerable person and their parent/guardian are informed about the nature of the use of the image as well as how the image will be stored and how the image can be accessed by the parent/guardian.

3.6.4 Council will ensure that it displays a "notice of filming and photography" at Public Events, informing visitors to the event that photography and filming may occur. All images are held and stored in accordance with Council's Records Management policy.

3.7 Risk Management Strategy

Council will identify and assess reasonably predictable potential sources of harm and take steps to decrease the likelihood for harm to occur to children, young people and vulnerable people who use Council services or facilities. Areas of risk assessment will include human resources, activities and programs, record keeping, physical spaces, and organisational culture.

3.8 Code of Conduct

3.8.1 All Workers are required to comply with Council's Code of Conduct, the staff values endorsed by the CEO and the standards set out within this policy.

3.8.2 The Code of Conduct sets out the minimum standards of behaviour expected during any interaction with vulnerable people, children and young people when accessing Council services.

3.9 Breaches of Policy and Disciplinary Action

3.9.1 All Workers are responsible for promoting and supporting the values and standards of behaviour set out in the Code of Conduct, Staff Values and this Policy.

3.9.2 Where a Worker is found to have acted outside of this policy or the Code of Conduct, they will be subject to disciplinary action commensurate with the seriousness of their actions. For staff or volunteers, this disciplinary action may take the form of a warning, counselling or termination of their employment.

3.9.3 Breaches of this Policy will be investigated on a case-by-case basis in accordance with Council's Human Resource management policies.

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4. RESPONSIBILITIES

Council

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

Chief Executive Officer

- Ensure the Policy is implemented, monitored, reported on and evaluated
- Is responsible for ensuring employees understand mandatory reporting requirements, procedures and associated legal responsibilities.

Directors, Managers and Leaders

- Promote a positive culture towards safeguarding children, young people and other vulnerable people
- Understand mandatory reporting requirements, procedures and associated legal responsibilities
- Ensure workers and volunteers, including those who are mandated notifiers are aware of their obligations and have appropriate skills knowledge, training and support
- Ensure that any person in a prescribed position or involved in any activity where a valid working with children check is required, has a valid and current clearance.

All Workers

- All Council workers will apply the principles and abide by this policy.
- Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding.
- Council workers involved in activities with children and/or vulnerable people have obligations under the Children and Young People (Safety) Act 2017 (SA)
 - To report any reasonable suspicion that a child or young person is at risk of harm
 - Ensure they are aware of the legal obligations and the consequences of failure to comply
 - Ensure they are able to identify, report and respond to children and young people at risk

Corporate Services

- Ensure appropriate record systems are used to monitor the currency of clearances and training for all prescribed position holders or as otherwise required and that this information is provided to Managers in a timely manner.
- Provide access to expected standards of behaviours, codes of conduct and responsibilities for all workers as appropriate for their role.

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5. LEGISLATION AND REFERENCES

- 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),
- National Principles for Child Safe Organisations
- The Office for Ageing (Adult Safeguarding) Act 1995
- The Office for Ageing (Adult Safeguarding) Amendment Act 2018

6. DEFINITIONS

Ageing and Adult Safeguarding Act 1995	an act to establish the Office for Ageing Well and has a strong focus on safeguarding the rights of adults at risk of harm or abuse. The Act responds to concerns of abuse of vulnerable adults aged 65 years and over and Aboriginal and/or Torres Strait Islander People aged 50 years and over.
Child or young person	Persons under 18 years of age
Harm	For the purpose of the Policy the definition of harm is adopted from the Children and Young People (Safety) Act 2017 and will be taken to be physical harm or psychological harm including, sexual, physical, mental or emotional abuse or neglect.
Mandated notifier or reporter	For Councils, A mandated notifier is: <ul style="list-style-type: none"> • A position in which a person works, or is likely to work, with children or young people; or • Manages a person who provides services to a child or young person, or • Any other position, or a position of a class, prescribed by the regulations.
Reasonable grounds to suspect	where a person has information that leads them to believe that harm or risk of harm or exploitation is or has taken place or may take place. Information on “Reasonable grounds to suspect” can be found at the following websites: <ul style="list-style-type: none"> • South Australian Adult Safeguarding Unit website • South Australian Department of Child Protection website

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Risk	<p>For the purpose of the Policy the definition of at risk is adopted from the Children and Young People (Safety) Act 2017 and to be at risk if:</p> <ul style="list-style-type: none"> the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected) or there is a likelihood that a child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected).
Safeguarding	protecting the welfare and human rights of people, particularly those that might be at risk of harm, risk of harm, abuse, neglect, or exploitation.
Vulnerable people	Those aged 18 or over, who may be in need of services due to age, illness or a mental or physical disability; social isolation or who may be unable to take care or protect themselves against significant harm or exploitation.
Volunteer	a person who volunteers for a service or activity which is of benefit to the community where there is no financial gain for the individual.
Worker	as defined in the Work Health and Safety Act (SA) 2012 a worker is any person carrying out work in any capacity, including employees, contractors or sub-contractors or their employees, employees of labour hire companies, outworkers, apprentices and trainees, students gaining work experience, volunteers, and persons of a prescribed class.
Working with children check	People working or volunteering with children in South Australia must, by law, have a valid, 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.

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7. REVIEW

This Policy will be reviewed within four (4) years or more frequently if legislation or Council's need changes.

Council will lodge a new child safe environments compliance statement after every review of this policy.

8. FURTHER INFORMATION

This Policy is available on Council's website at www.lowereyrepeninsula.sa.gov.au. It can also be viewed electronically at Council's principal office at 32 Railway Terrace, Cummins or at the Port Lincoln Branch Office, 38 Washington Street, Port Lincoln during ordinary business hours.

Complaints regarding this Policy or its application can be made to the Customer Service team on (08) 8676 0400 or mail@dclep.sa.gov.au in the first instance, who will refer you to the most appropriate Officer.

DOCUMENT HISTORY		
Version:	Issue Date:	Description of Change:
1.0	February 2024	New Policy
2.0	March 2024	Updated 3.3 and added additional paragraph. Updated sentence in 3.5.6.