

ENSURING COUNCIL FACILITIES ARE SAFE ENVIRONMENTS FOR CHILDREN AND VULNERABLE PEOPLE.

DOCUMENT REFERENCE NUMBER	#1512383
RELATED PROCEDURES AND ASSOCIATED DOCUMENTS	#980372 HR Policy – Police Checks & Screenings #1056574 HR - Employee Conduct Behaviour & Performance Policy #743122 Code of Conduct - Volunteers #682841 Behavioural Management Policy – Elected Members #765895 Risk Management Framework #xxxxx Health and Safety System #851180 Complaint Management Framework #1438362 HS Procedure – Public Safety On Premises #980372 HR Policy – Police Checks & Screenings
LEGISLATION, CODES OF PRACTICE, REGULATIONS	Children and Young People (Safety) Act 2017 (SA); Children and Young People (Safety) Regulations 2017 (SA); Child Safety (Prohibited Persons) Act 2016 (SA); and Child Safety (Prohibited Persons) Regulations 2019 (SA) Criminal Law Consolidation Act 1935 Life Saving SA Watch Around Water Program
APPROVED BY ELT	
COUNCIL RESOLUTION	20 March 2024
LAST MODIFIED	
REVIEW DUE	20 March 2028 (4 Years)
VERSION NUMBER	2024:1
RESPONSIBLE MANAGER	General Manager Corporate Services

POLICY STATEMENT

The Rural City of Murray Bridge (RCMB) is committed to ensuring the organisation and Council facilities are safe environments for children and vulnerable persons.

In particular, the following standards reflect the guidance provided by Department of Human Services on appropriate standards of conduct for adults in dealing with children.

OBJECTIVES

The RCMB is committed to the safety and wellbeing of children, young people and other vulnerable persons who access our services.

We support the rights of the child and vulnerable persons in the community and will act without hesitation to ensure a safe environment is maintained at all times.

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OBJECTIVES

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

In addition to the moral obligation to address any harm to children, the Children and Young People (Safety) Act 2017 (SA) (the Safety Act) places a legal obligation on Councils (and all other organisations providing a service wholly or partly to children) to ensure all children are safe from harm.

This policy aims to ensure the RCMB organisation and facilities are safe environments for children, young people and vulnerable persons, 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 responsibilities for the protection, safety and wellbeing of children at all times.

SCOPE

This Policy provides all RCMB personnel with an understanding of their responsibilities to keep children, young people and vulnerable persons safe, while fostering a culture of openness and respect of cultural diversity, recognising all children have a right to be safe from harm regardless of age, culture, religion, gender, sexuality, identity or disability.

The Policy also sets out the responsibilities of the Council, the Chief Executive Officer, General Managers and Managers, Mandated Notifiers, Council employees, volunteers, contractors and consultants (non-mandated notifiers).

PRINCIPLES

RCMB is committed to providing a safe environment to all children and young people. Our policy complies with the Children and Young People (Safety) Act 2017, the Child Safety (Prohibited Persons) Act 2016 and aligns with the National Principles for Child Safe Organisations.

We value and respect children and young people and welcome them regardless of their abilities, sex, gender, or social economic or cultural background. Bullying and harassment won't be tolerated.

1. Legal Obligations

Child Safe Environments

Section 114(1) of the Safety Act requires Councils and subsidiaries to have in place policies and procedures for ensuring:

- child safe environments for children and young people are established and maintained within the organisation; and
- 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.

Mandatory Reporting

Section 31(1) of the Safety Act prescribes mandated reporters as any Council employee, contractor, volunteer or person undertaking educational or vocational training that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who:

- provides such services directly to children and young people; or
- holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people; and
- Mandated reporters also include an officer or employee of a Council or subsidiary who holds a management position, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children.

Mandated reporters must report any suspicion of harm or risk of harm of a child to the Child Abuse Report Line (CARL) (telephone 24 hours a day, 7 days a week on 13 14 78) or online at <https://my.families.sa.gov.au/IDMProv/landing.html> or if at immediate risk, report to South Australia Police (SAPOL) on 000.

2. Risk Management Strategy

The RCMB will identify and assess potential sources of harm and take steps to decrease the likelihood that harm will occur to children, young people and other vulnerable persons who use our services. Areas of risk assessment will include human resources, activities and programs, record keeping, physical spaces, and organisational culture.

Risk Assessments are undertaken in alignment with [#765895 Risk Management Framework](#)

Appropriate programs are implemented where relevant such as Watch Around Water at the RCMB Swimming Centre. The program assists aquatic staff to promote safe supervision of young children at public swimming pools. ([Life Saving SA Watch Around Water Program.](#))

3. Public Safety on Premises

The RCMB are committed to ensuring the safety of everyone on council premises. The RCMB have taken steps to decrease the likelihood that harm will occur to anyone who uses their services inclusive of children, young people and other vulnerable persons.

The HS Procedure Public Safety on Premises outlines the steps that Council will take to ensure these obligations are met. In particular it:

- Identifies the risks and hazards associated with attendance at Council facilities
- Identifies the systems and processes put in place to assist in ensuring public safety
- Details the expectations of members of the public when they visiting Council

facilities The full procedure can be viewed here [#1438362 HS Procedure – Public Safety](#)

[On Premises](#)

4. Codes of Conduct

All employees, volunteers, contractors, elected members and consultants will be required to comply with the relevant code of conduct endorsed by Council this sets out standards of conduct when providing services to children, young people and vulnerable persons

The code of conduct(s) supports the Council's grievance procedure to address

breaches of the code of conduct.

[#1056574 HR - Employee Conduct Behaviour & Performance Policy](#)

[#743122 Code of Conduct - Volunteers](#)

[#685231 Code of Conduct – Elected Members](#)

5. Recruitment, Selection and Enhancing Performance

RCMB will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with, and provide services to, children and young people.

Applicants for prescribed positions will be screened for their suitability to provide services in alignment with [#980372 HR Policy – Police Checks & Screenings](#)

Screening will involve Working with Children Checks, interviews, referee reports, checking qualifications and previous employment history in working with children.

The RCMB 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.

6. Involvement in decision-making

The RCMB will promote the involvement of children, young people and vulnerable persons in service development planning where relevant, and inform them of their rights and how to access grievance procedures where relevant.

7. Responding to suspected harm and risk of harm

The RCMB will ensure that staff, volunteers, contractors and consultants providing services to and/or working with children are aware of and are trained, and appropriately supported to report any suspicion of harm or risk of harm on reasonable grounds.

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

If a worker is reported to CARL or SAPOL for causing harm or risk of harm to a child or young person, they will be removed from any role that involves working with any child or young person until authorities have concluded their investigation.

Following a report to CARL or SAPOL we will support the child or young person by:

- referring the child, young person or their family to other appropriate services
- continuing to provide a service to the child, young person and their family and monitor their circumstances.

SAFE ENVIRONMENTS POLICY

IMPLEMENTATION

Following approval by the Council the original signed version of this policy will be kept in accordance with [#707316 Records Management Policy](#).

Electronic PDF versions of this policy will be made available to the public for the purposes of viewing via the Rural City of Murray Bridge web site.

The Safe Environments Policy is communicated to all relevant audiences to ensure awareness and understanding of the RCMB's commitment to ensuring a safe environment. This includes Council Elected Members, staff, volunteers, contractors, consultants, parents, carers, and children where relevant.

TRAINING

Council will implement training, on a 3 yearly basis, to mandated reporters throughout council to attend appropriate safe environments training.

Council will include an induction process for the Elected Members, all employees, and where necessary, relevant contractors, consultants and volunteers to receive a copy of this policy, including record keeping, information sharing and reporting obligations.

Council will support the Elected Members and all employees and all those involved in the delivery of services and programs to ensure they are able to fulfil their duty of care and maintain their knowledge on Child Protection processes by reading and understanding the 'Mandatory Notification Information Booklet'.

Council will provide opportunities for professional development to build knowledge and skills regarding wellbeing and development of children, young people and vulnerable persons.

WORKER COMPETENCIES REQUIRED

The following table is a reference guide to aid in identifying training requirements, however a risk assessment may identify additional requirements and should be considered the source document for training required.

		Competencies
Elected Members	Policy Owner(s)	<p>CRITICAL (MUST HAVE)</p> <ul style="list-style-type: none"> #1512383 HR Policy – Safe Environments Policy #685231 Code of Conduct – Elected Members DHS Mandatory Notification Information Booklet' <p>RECOMMENDED</p> <ul style="list-style-type: none"> #1438362 HS Procedure – Public Safety On Premises #980372 HR Policy – Police Checks & Screenings #714030 Policy - Risk Management #1362928 Policy - WHS & RTW #851180 Complaint Management Framework

SAFE ENVIRONMENTS POLICY

<p>CEO, All General Managers, Managers & System Leaders</p>	<p>Leaders and Supervisors</p>	<p>CRITICAL (MUST HAVE)</p> <ul style="list-style-type: none"> National Police Check #1512383 HR Policy – Safe Environments Policy #1056574 HR - Employee Conduct Behaviour & Performance Policy DHS Mandatory Notification Information Booklet' <p>RECOMMENDED</p> <ul style="list-style-type: none"> #1438362 HS Procedure – Public Safety On Premises #980372 HR Policy – Police Checks & Screenings #714030 Policy - Risk Management #1362928 Policy - WHS & RTW #851180 Complaint Management Framework
<p>Mandated Reporters</p>	<p>Leaders, Supervisors and workers responsible for partly or wholly delivering services to children, young people and/or vulnerable persons</p>	<p>CRITICAL (MUST HAVE)</p> <ul style="list-style-type: none"> National Police Check DHS Clearance – Working With Children Check Safe Environments for Children & Young People Training #1512383 HR Policy – Safe Environments Policy #1438362 HS Procedure – Public Safety On Premises #1056574 HR - Employee Conduct Behaviour & Performance Policy OR #743122 Code of Conduct – Volunteers DHS Mandatory Notification Information Booklet' <p>RECOMMENDED</p> <ul style="list-style-type: none"> #851180 Complaint Management Framework
<p>Any workers who work directly with the public and may come into unsupervised contact with children, young people and/or vulnerable persons</p>	<p>Workers and/or volunteers</p>	<p>CRITICAL (MUST HAVE)</p> <ul style="list-style-type: none"> National Police Check DHS Clearance – Working With Children Check #1512383 HR Policy – Safe Environments Policy #1438362 HS Procedure – Public Safety On Premises #1056574 HR - Employee Conduct Behaviour & Performance Policy OR #743122 Code of Conduct – Volunteers DHS Mandatory Notification Information Booklet' <p>RECOMMENDED</p> <ul style="list-style-type: none"> #714030 Policy - Risk Management #1362928 Policy - WHS & RTW #851180 Complaint Management Framework

RESPONSIBILITIES

RCMB has strategies in place to supervise, train and support workers to understand our organisation's Safe Environments Policy, their mandatory reporting obligations, how to build culturally safe environments and their responsibilities to create a child safe and friendly environment.

RCMB is responsible for development of the "Safe Environments Policy" and in conjunction with the Chief Executive Officer and/or his or her delegates (where appropriate):

- promoting protection of children and young people from harm;
- 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.

Council **Elected Members** have individual responsibility for appropriate behaviour towards children young people and vulnerable persons, and for compliance with the policy.

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

- 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 the Council in a timely manner.

Managers and supervisors (paid and voluntary) are accountable to the Chief Executive Officer as follows:

- Recruitment and selection in accordance with Council's human resources policies and procedures and requirements for working with children;
- Effective implementation of the policy, procedures and safe workplace practices;
- Being aware and promoting acceptable behaviour when engaging with children and young people;
- Providing appropriate induction and on-going training as required in relation to the Safe Environment Policy;
- Establishing and maintaining supportive procedures for fulfilling mandatory reporting requirements and ensure mandated reporters understand their legal responsibilities;
- Reporting any reasonable suspicion of harm they have of a child being harmed or at risk of harm to the Child Abuse Report Line (note: it is the mandated reporter's responsibility to report their suspicion, not their supervisor's or manager's);
- Supporting staff and responding to enquiries regarding suspicions of harm or related issues, maintaining appropriate records and ensuring records are securely stored;
- Maintaining confidentiality and fully cooperating with the Department for Child Protection, the South Australian Police and other relevant government agencies in their investigations of suspected abuse of a child or other vulnerable person if required; and
- Report annually to the Chief Executive Officer on implementation, monitoring and review of the Policy and relevant services, programs, and workplace practices.

SAFE ENVIRONMENTS POLICY

RESPONSIBILITIES

Mandated Reporters

Mandated reporters have obligations under the Safety Act to notify the DCP 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 work (paid or voluntary) or in carrying out official duties.

**Note: Whilst the obligation to report suspicions of abuse rests with mandated reporters, they are encouraged to seek advice and support from their supervisor and manager, or in relation to suspicions of child harm or risk of harm. This practice will ensure 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.*

Other Council Staff, volunteers, contractors and consultants (non-mandated reporters)

All Council staff, volunteers, contractors and consultants providing services on behalf of Council have a role to play in providing a safe environment for children, young people and other vulnerable people, and for complying with the policy.

Council strongly encourages and will sensitively support any staff member, volunteer, contractor or consultant, though not a "mandated reporter" as defined by the Safety Act, to report any suspicion they have of incidents of harm of a child or young person.

In these cases, incidents of harm of a child or young person are to be reported to the relevant program manager who will, in consultation with the Chief Executive Officer, determine the appropriate action to be taken and where appropriate report to the relevant Government authorities.

All Council staff, volunteers, contractors and consultants providing services on behalf of Council are responsible for meeting their obligations additionally under the Criminal Law Consolidation Act 1935 – section 64 A – Failure to report suspected child sexual abuse & 65 - Failure to protect child from sexual abuse.

Third Party Responsibility

Council will ensure that any third parties operating on council owned properties and/or providing services to and/or working with children, young people and other vulnerable persons will be required to provide verification of appropriate working with children checks prior to undertaking any services.

REVIEW

The Council may revise or review this policy at any time; A review must be undertaken at least once during a Council term, four (4) years or if a legislative change occurs. This will ensure compliance with the Children and Young People (Safety) Act 2017 and effective maintenance of a safe environment.

SIGNATURES

SIGNED:





Mayor

CEO

General Manager Corporate
Services

Date:
21/03/2024

Date:
21/03/2024

Date:
25/03/2024

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