



GUIDELINES FOR MANDATED NOTIFIERS
AND INFORMATION FOR ORGANISATIONS



Government of South Australia

Department for Education and Child Development

CHILD-SAFE ENVIRONMENTS

Reporting Child Abuse & Neglect

Child Abuse Report Line 13 14 78



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Guidelines for mandated notifiers
& information for organisations

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Minister's foreword

Parents and carers are often in the best position to protect their children – but they are not the only ones.

Keeping our children safe is a responsibility we must all share.

Your role in the community means you can be in a position to see and hear things others don't.

You understand the need to protect children from abuse and neglect. You might be obliged, by law, to report it.

This booklet provides practical, simply written steps to help you report abuse.

It gives guidance for policies and procedures you may be developing within your organisations.

Regularly updated and reprinted, the booklet continues to evolve to reflect changes to the system.

A new edition will be published shortly outlining a number of significant changes underway to increase protections for children and make it easier to report abuse.

These include changes to the Child Abuse Report Line which will cut waiting time for notifiers.



A new call back system will mean callers no longer need to wait on hold. Additionally, mandated notifiers from the Health, Education and Police sectors will be able to make lower risk notifications online. You'll hear more about these improvements in the next edition.

Laws, policies and procedures are crucial to child protection – but action is paramount.

The State Government appreciates the incredible rewards that come with working with children – and the responsibilities.

I take this opportunity to thank you for your continued effort – as individuals and organisations – to support families, nurture children and keep them safe.

A handwritten signature in black ink that reads "Jennifer Rankine".

Jennifer Rankine MP

MINISTER FOR EDUCATION AND CHILD DEVELOPMENT

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USING THIS BOOKLET:

Children have the right to be emotionally and physically safe from harm at all times. The *Children's Protection Act 1993* recognises that organisations and individuals both have a role to play in keeping children safe and protected.

This booklet is designed to assist:

- people who come into contact with children and who are required by law to report concerns of child abuse and/or neglect (mandated notifiers); and
- organisations that are required by law to develop policies and procedures to establish and maintain child-safe environments.

Keeping children and young people safe involves more than just reporting concerns to Families SA or responding once an allegation of abuse or neglect is made. It means:

- minimising the possibility of child abuse occurring in the first place
- working to reduce the impact of child abuse and neglect after it has occurred
- doing everything possible to ensure it does not occur again; and
- providing ongoing support and services to children, young people and adults as appropriate.

Organisations that provide services to children and young people have a special responsibility to promote and enhance children's safety, wellbeing and rights. This involves creating an environment that is both child-safe and child-friendly. By taking steps to identify and minimise risks to the safety and protection of children and promoting a culture that respects children and young people as valued participants and consumers of their services, organisations can play an important role in caring for children, identifying vulnerable children, supporting children who have been abused and preventing further harm to children.

This booklet has been designed in two parts: Part One informs you about your obligations as a mandated notifier; Part Two looks at the expectations of organisations in keeping children safe.

PART 1: MANDATED NOTIFICATION:

WHAT DOES THE LEGISLATION SAY ABOUT WHO IS REQUIRED TO NOTIFY?

Under sections 11(1) and (2) of the *Children's Protection Act 1993*, certain people are **obliged by law** to notify Families SA via the Child Abuse Report Line if they suspect on reasonable grounds that a child/young person has been or is being, abused and/or neglected and **the suspicion is formed in the course of the person's work** (whether paid or voluntary) or in carrying out official duties.

In South Australia, anyone under the age of 18 is classified as a 'child or young person'.

The person must notify the Child Abuse Report Line of that suspicion as soon as practicable after they form the suspicion.

Section 11 (2) establishes that the following persons are mandated notifiers:

- (a) a medical practitioner
- (ab) a pharmacist
- (b) a registered or enrolled nurse
- (c) a dentist
- (d) a psychologist
- (e) a police officer
- (f) a community corrections officer (an officer or employee of an administrative unit of the Public Service whose duties include the supervision of young or adult offenders in the community)
- (g) a social worker
- (ga) a minister of religion

- (gb) a person who is an employee of, or volunteer in, an organisation formed for religious or spiritual purposes
- (h) a teacher in an educational institution (including a kindergarten)
- (i) an approved family day care provider
- (j) any other person who is an employee of, or volunteer in, a government or non-government organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children, being a person who—
 - (i) is engaged in the actual delivery of those services to children; or
 - (ii) holds a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children.

Section 11 also states:

- 11(3) A notification under this section must be accompanied by a statement of the observations, information and opinions on which the suspicion is based.
- 11(4) This section does not require a priest or other minister of religion to divulge information communicated in the course of a confession made in accordance with the rules and usages of the relevant religion.

- 11(5) A person does not necessarily exhaust their duty of care to a child by giving a notification under this section.
- 11(6) A person must not threaten or intimidate, or cause damage, loss or disadvantage to, a person to whom this section applies because the person has discharged, or proposes to discharge, their duty under subsection(1).
Maximum penalty: \$10 000.

LEGAL DEFINITIONS OF CHILD ABUSE AND NEGLECT

Legal definitions of the *Children's Protection Act 1993* define the type of abuse or neglect in which the state has authority to intervene.

Section 6 (1) states that abuse or neglect in relation to a child means:

- (a) sexual abuse of the child; or
- (b) physical or emotional abuse of the child, or neglect of the child, to the extent that
 - (i) the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or
 - (ii) the child's physical or psychological development is in jeopardy.

Reasonable grounds to report suspected abuse and/or neglect may include:

- when your own observations of a particular child's behaviour and/or injuries, lead you to suspect a child is being abused or neglected
- when a child tells you they have been abused
- a child telling you that they know of someone who has been abused (they may possibly be referring to themselves)
- when your own observations about the behaviour of the child, or their adult caregiver/s, give you cause to suspect that a child is being, or is at risk of being, abused or neglected
- when you hear about it from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of a child who is at risk.

WHEN TO NOTIFY

As a mandated notifier, you are obliged to notify the Department for Education and Child Development, Families SA through the Child Abuse Report Line when you have suspicion on reasonable grounds that a child has been, or is being, abused and/or neglected.

WHAT IS CHILD ABUSE OR NEGLECT?

In South Australia, child abuse or neglect is categorised in four ways.

Physical abuse

This is commonly characterised by physical injury resulting from:

- hitting, punching, kicking (eg, marks from belt buckles, fingers)
- shaking (particularly young babies)
- burns (eg, irons, cigarettes)
- biting
- pulling out hair
- the administration of alcohol or other drugs.

Sexual abuse

This occurs when someone in a position of power to the child uses that power to involve the child in sexual activity. It can include:

- sexual suggestion
- exhibitionism, mutual masturbation, oral sex
- showing of pornographic material (eg, DVDs, internet, mobile phones)
- using children in the production of pornographic material
- penile or other penetration of the genital or anal region
- child prostitution.

Emotional abuse

This tends to be a chronic behavioural pattern directed at a child so that a child's self-esteem and social competence are undermined or eroded over time. It can include:

- devaluing (eg, "You're hopeless, useless, stupid")

- ignoring (parent or carer is psychologically unavailable to the child)
- rejecting (telling a child in varying ways they are unwanted)
- corrupting (to allow children to participate in immoral or criminal acts)
- isolating (limits normal social experiences)
- terrorising (may single out or threaten with punishment or death)
- domestic violence in the child's presence.

Neglect

This is characterised by the ongoing failure to provide for the child's basic needs which has a detrimental impact on the child's physical and/or psychological development and well-being. Neglect may include:

- inadequate supervision of young children for long periods of time
- failure to provide adequate nutrition, clothing or personal hygiene
- failure to provide needed or adequate health care or medical treatment
- disregard for potential hazards in the home
- forcing a child to leave home at a young age
- allowing a child to engage in chronic truancy.

WHY THE OBLIGATION TO HELP?

The purpose of imposing a legal obligation on certain people who work with children in our community is simply to protect children from harm.

Early identification of abuse and/or neglect can ensure that families are assisted in meeting their responsibility for their children's safety.

The *Children's Protection Act 1993* lists the range of people who are mandated notifiers, recognising the multiple contexts in which children participate and the varying roles of community members in children's lives.

When a family cannot protect their children, the Department for Education and Child Development, Families SA has **the statutory mandate** to assist with the provision of care and protection, or to seek alternative care for the children.

The long-term effects of child abuse and/or neglect take an enormous toll that can be suffered by current generations, as well as future generations, and by society as a whole.

Child abuse and/or neglect can be prevented. Identification and reporting of child abuse and/or neglect may be the beginning of the intervention and prevention process.

By protecting children and helping their families, future abuse and/or neglect can

be reduced, perhaps even eliminated, and the intergenerational cycle of abuse and/or neglect can be broken.

Failure to notify suspected abuse and/or neglect is an offence under the *Children's Protection Act 1993* and carries a maximum penalty of a \$10 000 fine.

HELPING A CHILD WHOM YOU SUSPECT HAS BEEN ABUSED OR NEGLECTED

When a child tells you that they have been abused, they may be feeling scared, guilty, ashamed, angry and powerless. You in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes, disbelief.

It is important for you to remain calm and in control, and to reassure the child that they have done the right thing by telling somebody about what is happening. Let the child know that you are willing to listen and that you want to try to help. It is important that you respond to the child appropriately. You should:

- listen carefully
- tell the child that you believe them
- reassure the child that the abuse is not their fault; and
- tell the child that you are pleased to have been told.

When talking to the child it is important that you:

- don't make promises that you cannot keep, such as promising that you will not tell anyone

- never push the child into giving details of the abuse. Your role is to listen to what the child wants to tell you. Do not ask leading questions or attempt to investigate what has been said.

Your legal obligation is to inform the Child Abuse Report Line of your suspicion on reasonable grounds, as soon as possible.

Although only mandated notifiers have a legal responsibility to make reports, **everybody has a moral responsibility** to report suspected child abuse and/or neglect.

YOUR RIGHTS AND RESPONSIBILITIES

As a mandated notifier:

- it is your personal responsibility to report suspected abuse and/or neglect – it is not the responsibility of your employer, manager or supervisor
- you do not have to be able to prove that abuse has occurred
- you must accompany your notification with a statement of the observations, information and opinions on which your suspicion is based
- you are immune from civil liability for reporting your suspicion in good faith (Section 12(a) and (b) of the *Children's Protection Act 1993*).

As a mandated notifier, a person must not threaten or intimidate you, or cause damage, loss or disadvantage to you because you have reported, or propose to report, suspected abuse or neglect (*Children's Protection Act 1993*, section 11(6)).

WHAT INFORMATION IS NEEDED TO REPORT TO THE CHILD ABUSE REPORT LINE?

It is not essential that mandated notifiers have all the information contained on this list before making a report. However, the more information that is provided to the Child Abuse Report Line, the better informed the response will be to the child/ren of concern.

Details of the child/ren and their family:

Child/ren, siblings and parents

- Full name (including any other surnames they are known by)
- Date of birth/age
- Current address, phone number
- School
- Ethnicity (eg, Aboriginal, Kinship group, non-English speaking)
- Alleged perpetrator's name, age, address, relationship to the child/ren, current whereabouts
- Current whereabouts of the child who is, or children who are, of concern
- Details of when the next expected contact with the alleged perpetrator will occur (if they are not living together).

Notifier details:

- Full name, job title and agency (if applicable), address and phone number
- Relationship of notifier to the child/ren of concern
- The type of contact that the notifier has with the family and how frequently
- Whether the notifier is working with the child or the family, and if so, in what capacity.

Details of concerns:

- Specific details about the allegations
- If the child disclosed what did she/he say and what was her/his emotional presentation
- Who saw or heard what and when?
- Size and location of injuries if any, with descriptions of any bruising
- Whether the child has been seen by a doctor and if so, the doctor's name and contact number
- Describe any caregiver behaviour that is of concern, including how often and how severe
- Describe any behaviour by the victim(s) that is of concern, including how often it occurs
- If the notifier is a police officer reporting domestic violence, include:
 - o whether there has been previous South Australia Police (SAPOL) contact with the family or alleged perpetrator regarding domestic violence
 - o the SAPOL Domestic Violence Risk Assessment Score including the numerical value (eg, 38) and the risk level (ie, standard, medium or high), and whether an intervention order has been issued
 - o any other information about the risk assessment. For example, it may be your opinion that the risk assessment score may not be an accurate reflection of the actual level of risk due to the victim providing very limited information to SAPOL due to fear.

Other details:

- Whether the parents are separated
- If any Family Court orders are in place and if so, what they relate to
- If the custodial/non-custodial parent has a partner provide her or his name
- What is known about the functioning of the family
- Domestic violence
- Drug/alcohol use or abuse
- Violence to people outside of the family
- Relevant health factors
- Extended family or other support networks
- Child care arrangements
- Nature of involvement with any agencies
- Mental health problems and/or
- Physical or intellectual disability.

Before concluding the call:

- What prompted you to call today (if this is not already obvious)
- Whether caregivers are aware a report is being made
- Whether you, as the notifier, have given any expectations of action to the child/ren.

Aboriginal or Torres Strait Islander Children

On calling the Child Abuse Report Line, notifiers will be asked if the matter involves an Aboriginal or Torres Strait Islander child or family. If so the notifier will be put through to Yaitya Tirramangkotti, the Aboriginal team of the Child Abuse Report Line, to ensure the child/ren and family receive the most culturally appropriate response.

Confidentiality of notification of abuse or neglect

Under Section 13 of the *Children's Protection Act 1993*, your identity as a mandated notifier will not be disclosed except:

- in the course of official duties to another person acting in an official capacity (eg, Police acting in the matter of a criminal prosecution), or
- when the court deems the identity of the notifier to be evidence of critical importance to legal proceedings, or
- if you have consented to the release of your name.

Following a notification

To determine if departmental intervention is warranted, an initial assessment of the reported concerns is made by the Child Abuse Report Line. The assessment is based on the following:

- The immediate safety of the child (ie, is the child in imminent danger?)
- The alleged harm
- The alleged abusive incident(s) or neglectful condition(s)
- The likely risk of future harm
- The age and vulnerability of the child
- The behaviours / characteristics of the parent or caregiver
- The protectiveness of the parent or caregiver
- The access the alleged perpetrator has to the child
- Any previous history the family has with Families SA.

Where it is assessed that the concerns meet the criteria for a child protection response, the Child Abuse Report Line makes a recommendation to the responsible Families SA Office regarding the type of response the notification should receive and how quickly the investigation, assessment or other response should be commenced.

Notifying the Child Abuse Report Line of your suspicions is a legal requirement. However, section 11(5) of the *Children's Protection Act 1993* recognises that making a notification does not necessarily exhaust your duty of care to the child and their family. You should consider how you or your organisation might be able to continue helping the child and their family once a report has been made.

There are also other agencies that may also be able to help. A list of these agencies is available from www.families.sa.gov.au/report_abuse

Feedback to mandated notifiers

Mandated notifiers are entitled to feedback. However, this is on a need-to-know basis. The information provided is dependent on the role and relationship the family has with the mandated notifier.

For example, a professional with an ongoing relationship with the child may be entitled to request information regarding proposed plans for future intervention with the child, and the possible role they may take as a part of this proposed intervention.

TRAINING

Many organisations adopt a best practice approach to training and as part of their child-safe environment policies and procedures require staff and volunteers to complete the *Child-safe environments- Reporting Child Abuse and Neglect* training.

This training is NOT a legal requirement but is an effective way to educate notifiers to recognise and respond to suspected child abuse or neglect.

South Australia has been offering state-wide training of mandated notifiers since 1989. A Department for Education and Child Development 'Child-safe environments- Reporting Child Abuse and Neglect' seven-hour training program is offered by approved

trainers throughout South Australia. To access providers of this training, please visit www.families.sa.gov.au and click on the link to Training for Mandated Notifiers – Reporting Child Abuse and Neglect.

A Train-the-Trainer program, to train individuals to deliver the Child-safe environments seven-hour program, is facilitated by the Families SA Learning and Practice Development team.

If you wish to enquire about the Train-the-Trainer program, contact the Families SA Learning and Practice Development team on 8207 1091, or via email: DECDFamiliesCSETrainingEnquiries@sa.gov.au

Part 2: CHILD-SAFE ENVIRONMENTS IN ORGANISATIONS

Child protection legislation in South Australia has traditionally supported statutory authorities, such as Families SA and SAPOL, in ensuring the safety, care and protection of children who have been abused and/or neglected. Under the *Children's Protection Act 1993* the Department for Education and Child Development, Families SA, has authority to take action in response to a notification of suspected abuse or neglect of a child.

The role of other organisations has been primarily linked to mandatory notification and in partnering with statutory authorities for the purpose of investigating child abuse and/or neglect. In recognition of the important role many government and non-government organisations play in helping to keep children safe and protected, the *Children's Protection Act 1993* was amended to require certain organisations to take steps to establish and maintain a safe environment for children. This requirement applies to all organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, child-care or residential services wholly or partly for children and young people.

The Department for Education and Child Development, Families SA, has a responsibility for guiding these organisations

to adopt a child-safe and child-friendly approach to service provision.

This includes promoting proactive strategies to prevent child abuse and/or neglect, as well as providing guidance to assist organisations to put in place appropriate processes to support children and young people.

Sharing responsibility for the care and protection of children helps to challenge the unrealistic expectation that the Department for Education and Child Development, Families SA can on its own protect all children.

It is important that organisations also recognise that where a Mandated Notifier's report has been made, notifiers and organisations may still have an important role to play in supporting and working with the child/ren, young people and their family.

"The focus of a child-safe organisation is not simply to create an environment that minimises risk or danger. Rather it is about building an environment which is both child-safe and child-friendly, where children feel respected, valued and encouraged to reach their full potential."

Child-Safe Environments: Principles of Good Practice, Department for Education and Child Development 2012 (page 5)

CHILD-SAFE ENVIRONMENTS IN ORGANISATIONS

Child-friendly organisations contribute to a child-safe community.

The safety, protection and participation of children and young people should be firmly embedded in the culture and practices of all organisations that provide services to them.

Many organisations in South Australia have a legal requirement to develop policies and procedures to establish and maintain a child-safe environment.

Child-safe organisations:

- “take a preventative, proactive and participatory stance on child protection issues” (Childwise, 2004)
- value and embrace the opinions and views of children
- encourage and assist children to build skills that will assist them to participate in society
- are sensitive to and focused on the protection of children
- take action to protect children from harm.

Implementing child-safe policies and practices has benefits for everyone involved in the organisation as they:

- support awareness, well-being and active participation of children and young people accessing the service
- increase awareness of strategies for providing more ‘child and youth-friendly’ experiences
- raise staff and organisational awareness

of possible risks to children and young people and encourage planned responses to minimise these risks

- provide a framework for staff and volunteers to consider and communicate issues relating to children’s safety and wellbeing
- support awareness and knowledge of mandated notification responsibilities.

When organisations promote a culture in which children and young people are safe, protected and encouraged to actively participate and express their views, children and young people are more likely to speak up in the event they feel unsafe or are being hurt in any way.

CHILD-SAFE ENVIRONMENTS - PRINCIPLES OF GOOD PRACTICE

To assist organisations to establish and maintain child-safe environments, seven Principles of Good Practice have been issued pursuant to section 8A of the *Children’s Protection Act 1993*. In developing policies and procedures for establishing and maintaining child-safe environments, organisations should ensure that they address these good practice principles.

Principle 1: Identify and analyse risk of harm

The organisation develops and implements a risk management strategy that identifies, assesses and takes steps to minimise the risks of harm to children because of the action or inaction of an employee, volunteer, or another child.

This includes a review of existing child protection policies and practices to determine how child-safe and child-friendly the organisation is and the development of strategies to minimise and prevent risk of harm to children.

Principle 2: Develop a clear and accessible child-safe policy

The organisation has a child-safe environments (child protection) policy that outlines its commitment to promoting children's wellbeing and safeguarding children from harm.

The child-safe policy should be supported by appropriate procedures and guidelines. For government and certain state government funded organisations, these should include the Cabinet endorsed Information Sharing Guidelines, available from the Office of the Guardian for Children and Young People (see www.gcyp.sa.gov.au)

Principle 3: Develop codes of conduct for adults and children

The organisation has a code of conduct that specifies standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation also has a code of conduct to address appropriate behaviour between children.

The code(s) of conduct set out professional boundaries, ethical behaviour and unacceptable behaviour.

Principle 4: Choose suitable employees and volunteers

The organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions). This is more likely to be achieved using a range of screening and criminal history assessment measures. Such measures aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Where criminal history assessments are required by law, the organisation must ensure that a satisfactory criminal history assessment is conducted for each person undertaking prescribed functions at agency defined intervals **up to a maximum validity period of three years**. Criminal history information must be dealt with in accordance with the *Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*, available from www.families.sa.gov.au/childsafes

Principle 5: Support, train, supervise and enhance performance

The organisation ensures that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

Training and development opportunities available for staff and volunteers will depend on the size, nature and resources of the organisation. Some examples include:

- o ensuring staff and volunteers have read and understood this booklet
- o offering Child-Safe Environments- Reporting Child Abuse and Neglect training for staff and volunteers working with children
- o utilising the free online SMART (Strategies for Managing Abuse related trauma) learning package developed by the Australian Childhood Foundation (www.childhood.org.au)
- o providing regular supervision and performance appraisal.

Principle 6: Empower and promote the participation of children in decision-making and service development

The organisation promotes the involvement and participation of children and young people in developing and maintaining child-safe environments.

Good practice examples include:

- o adopting a child rights approach to service delivery
- o encouraging and acting on children's participation, comments and feedback
- o ensuring children are aware of their rights, available complaints procedures and how they can access help and advice
- o providing leadership and development opportunities for children and young people

Principle 7: Report and respond appropriately to suspected abuse and neglect (mandatory reporting)

The organisation ensures that volunteers and employees are able to identify and respond to children at risk of harm.

The organisation makes volunteers and employees aware of their responsibilities under the *Children's Protection Act 1993* if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

This means that organisations must ensure that their staff and volunteers are aware of their obligations as mandated notifiers and have appropriate skills and knowledge to discharge their responsibilities.

Undertaking formal Child-safe environments – Reporting Child Abuse and Neglect training is not a legal requirement but is one way to educate mandated notifiers about their obligations under the Act. For additional strategies, refer to Principle 5 or the child-safe website.

For further information and resources about establishing and maintaining a child-safe environment within organisations, go to www.families.sa.gov.au/childsafesite

CHILD-SAFE ENVIRONMENTS - CONDUCTING CRIMINAL HISTORY ASSESSMENTS

A criminal history assessment informs the decision about whether a particular person is suitable to work with children. This decision is made on the basis of the person's criminal history (if any) and the assessed risk to children and young people served by the organisation.

Criminal history assessments help organisations to decide who is suitable to work with children and young people and to manage the risks associated with engaging people in this work. Implemented alongside other strategies to help keep children safe from harm, criminal history assessments are an important strategy for establishing and maintaining child safety in an organisation.

The *Children's Protection Act 1993* requires organisations providing health, welfare, education, sporting or recreational, religious or spiritual, child-care or residential services wholly or partly for children to conduct criminal history assessments for people working or volunteering with children in prescribed positions unless an exemption applies.

This includes any person who:

- has regular contact with children and is not directly supervised at all times; or
- works in close proximity to children on a regular basis and is not directly supervised at all times; or
- supervises or manages persons who:
 - o have regular contact with children or
 - o work in close proximity to children on a regular basis; or

- has access to certain records relating to children.

The requirement for criminal history assessments is being phased-in sector-by-sector over three years from January 2011 – December 2013.

Exemptions from this requirement also apply in some circumstances. However, organisations may still require people to undergo criminal history assessments as a matter of good practice, even if assessments are not required by law.

Information about the phasing-in schedule and exempting criteria are available from Families SA at www.families.sa.gov.au/childsafe Alternatively, email decdochildsafe@sa.gov.au or call 8463 6468.

There are three ways an organisation can ensure that a criminal history assessment is conducted for people working with children in prescribed positions:

1. Obtain an assessment and letter of clearance from the Department for Communities and Social Inclusion (DCSI) Screening Unit

An organisation may direct its staff and volunteers to apply to the DCSI Screening Unit for a full criminal history assessment and letter of clearance. Information about the Screening Unit is available from www.dfc.sa.gov.au/pub/screening

2. Obtain a National Criminal History Record Check and conduct the assessment yourself

To conduct a criminal history assessment, an organisation should ensure that a report is obtained on the criminal history (if any) of each person occupying or acting in a prescribed position. The report must be obtained from South Australia Police or an organisation that is accredited with CrimTrac.

In the majority of cases, a person will have no criminal history. In these cases, the assessment is successfully completed. An organisation should document this outcome and no further action in respect to an assessment is required.

Where an individual does have a criminal history, an organisation must assess this information in accordance with the *Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*, available at www.families.sa.gov.au/childsafes

The standards set out the contextual and situational factors related to the person's criminal history and the position which an organisation must consider when making an assessment.

3. Accept 'other evidence' and conduct an assessment yourself

A person working with children in an organisation may have previously obtained a criminal history report or letter of clearance

for another purpose (such as employment or volunteering). In some situations an organisation can accept this evidence to assess a person's suitability to work with children.

Any of the following forms of evidence may be accepted to assess a person's suitability to work with children (provided it was obtained within the last three years):

- A National Criminal History Record Check that does not expressly state that it cannot be used as a clearance to work with children
- A letter of clearance from the DCSI Screening Unit or a valid registration document from the Teachers Registration Board
- A current interstate working with children check.

Organisations will need to decide whether they will accept these types of evidence and communicate the decision to all members of the organisation.

In all cases, the final decision of whether to engage or retain a person to work with children rests with the organisation.

Organisations must retain appropriate records as evidence that decisions made with respect to the suitability of people to work with children in prescribed positions are rigorous, defensible and transparent.

Fees and charges for obtaining criminal history information do apply. The Government is meeting the cost of obtaining criminal history reports for some volunteers who work with children in volunteer organisations through the Volunteer Organisation Authorisation Number (VOAN) scheme. Information about the VOAN scheme is available from SAPOL.

What is the difference between a National Criminal History Record Check and a Criminal History Assessment?

A National Criminal History Record Check (also known as a National Police Certificate or National Police Check) provides a national summary of an individual's offender history. This is different from a criminal history assessment. A criminal history assessment requires an organisation to use the information in a National Criminal History Record Check to conduct an assessment of a person's criminal history and to make a decision about whether to employ or retain a person to work with children.

In making the assessment, organisations also consider the level of risk posed by the person and position. For example, the organisations will take into account factors including seriousness and relevance of the conviction, the level of unsupervised access the person has to children and the length of time since the conviction.

To obtain a National Criminal History Record check, go to SAPOL at www.sapolice.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp or to obtain a letter of clearance, contact the DCSI Screening Unit at www.dfc.sa.gov.au/pub/screening

CHILD-SAFE ENVIRONMENTS - LODGING A COMPLIANCE STATEMENT

Under the *Children's Protection Act 1993*, all organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, child-care or residential services wholly or partly to children must lodge a statement setting out their child-safe environment policies and procedures with the Department for Education and Child Development, Families SA. The lodgement of compliance statements are a good opportunity for organisations to review their child-safe environment policies and procedures and ensure that they are up-to-date and well understood by everyone in the organisation. It also assists the department to monitor the progress of organisations towards implementing child-safe environments and to identify areas where further information and support may be required.

Organisations must demonstrate that their child-safe environment policies and procedures are of a standard set by the Department for Education and Child Development, Families SA.

A lodgement form is available from the department's website. The form can also be completed and submitted online (www.families.sa.gov.au/childsafes).

Organisations must lodge a compliance statement with the department within 10 days of putting their policies and procedures in place. Organisations may lodge a statement individually, or an umbrella or representative body may lodge a statement on their behalf.

The law also empowers the Chief Executive, Department for Education and Child Development, Families SA to seek further information from an organisation about its compliance with child-safe environment requirements at any time through a written request.

Information about creating child-safe environments, including principles of good practice, fact sheets and templates, is available from the department's website.

For further information contact Families SA
Website www.families.sa.gov.au/childsafes
Email: decdechilfsafe@sa.gov.au
Telephone: 8463 6468

INFORMATION, COUNSELLING AND RESOURCE SERVICES

Child Abuse Report Line	131 478	Nunkuwarrin Yunti	8223 5217
Parent Helpline	1300 364 100	Lifeline	
(Calls received between 7.15am-9.15pm will be answered by local helpline staff. Calls received outside these hours will be automatically redirected to the healthdirect helpline)		(24 hour counselling service)	13 11 14
		Crisis Care	13 16 11
Youth Healthline	1300 131 719	SAPOL	13 14 44
		or contact your local police station for referral to the Family Violence Investigation Division in your region.	
Kids Helpline	1800 55 1800		
Yarrow Place Rape and Sexual Assault Services (SA)		Legal Services Commission of South Australia	
- 9.00am-5.00pm	8226 8777	Legal Help Line	1300 366 424
- Emergency after hours	8226 8787	Aboriginal Legal Rights Movement Inc	
- Free Call	1800 817 421	Head office:	
		321-325 King William Street, Adelaide SA 5000	
Children's Protection Service		Tel:	(08) 8113 3777
- Adelaide Women's and Children's Hospital	8161 7346	Freecall number:	1800 643 222
- Flinders Medical Centre	8204 5485		
Child and Adolescent Mental Health Service			
- Northern Area	8161 7389		
- Southern Area	8204 5412		

Child Abuse Report Line 13 14 78



**Government
of South Australia**

Department for Education
and Child Development