

1 Policy Statement

The Town of Gawler (Council) is committed to the safety of children, young people and other vulnerable people.

The purpose of this Policy is to ensure compliance with legislative requirements prescribed in the *Children and Young People (Safety) Act 2017*, the *Child Safety (Prohibited Persons) Act 2016* and align practices with the National Principles for Child Safe Organisations.

This Policy outlines Council's duty to establish and maintain safe environments, that promote and enhance the safety and welfare of children, young people and other vulnerable community members that access Council facilities and services.

Council will take all reasonable steps, in addition to complying with legislative obligations, to provide an environment where every person has the right to be treated with respect, where bullying and harassment are not tolerated, and where every person is safe and protected from harm.

This Policy will assist workers to develop and maintain systems and processes to minimise the risk of harm occurring through the delivery of Council services and programs. It will also assist workers in reporting of suspected harm and risk of harm offences against children and young people, and abuse offences against other vulnerable people.

2 Scope

This Policy applies to all Council workers, whether they are mandated notifiers or not. This includes any person carrying out work in any capacity for Council, including:

- work as an employee, contractor or subcontractor,
- an employee of a contractor or subcontractor,
- an employee of a labour hire company,
- an outworker,
- an apprentice or trainee,
- a student gaining work experience,
- a volunteer,
- or a person of a prescribed class.

3 Legislation and References

Commonwealth

- *Aged Care Act 2024*
- *Aged Care Rules 2025*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- National Principles for Child Safe Organisations

South Australia

- *Ageing and Adult Safeguarding Act 1995*
- *Children and Young Person (Safety) Act 2017*
- *Children and Young Person (Safety) Regulations 2017*
- *Child Safety (Prohibited Persons) Act 2016*
- *Child Safety (Prohibited Persons) Regulations 2019*
- *Criminal Law Consolidation Act 1935*
- *Local Government Act 1999*
- *Equal Opportunity Act 1984*
- *Work Health and Safety Act 2012*

Town of Gawler

- Code of Conduct for a Child Safe Organisation
- Complaints Policy
- Complaints Resolution Policy
- Internal Review of a Council Decision Policy and Procedure
- Volunteer Management Policy

4 Definitions

For the purposes of this Policy the following definitions apply:

At risk	The definition is adopted from the <i>Children and Young People (Safety) Act 2017</i>. A child is at risk if • 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 the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected)
Abuse	Refers to all aspects of abuse, that is, neglect, physical, psychological, emotional and sexual.
Child safe environment	Refers to a respectful and protective environment where children and young people are safe from harm.
Child (Children)	Refers to a person under 18 years of age.
Community	Refers to any person who lives, works, pays rates, conducts private or government business, visits, utilises services, facilities and public space within the Council area.
Electronic Document & Records Management System (EDRMS)	Refers to a system used to manage records across Council.
Harm	Refers to physical or psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental or emotional abuse or neglect.
Mandated reporter	Refers to a position in which a person works or is likely to work with children or young people or vulnerable people, or manages a person who provides services to a child or young person or vulnerable person.
Mandatory reporting obligation	Refers to the legislated requirement to report specific suspicions or incidents of harm, abuse or neglect on children and young people and vulnerable persons.
Outworker	Someone who works from a place that would not normally be considered a workplace, such as a home or working from a study desk in the library
Prescribed position	Refers to a position that requires or involves prescribed functions which involve any of the following: • Regular contact with children, young and/or vulnerable people (including aged care and frail aged) in close proximity (usually within eyeshot) on a regular basis (multiple working instances of contact of limited duration or fewer, extended and intense periods of contact which may be away from the person's usual environment). • People who supervise/manage those in positions requiring or involving regular contact with children, young and/or vulnerable people (including aged care and frail aged) or in close proximity to them on a regular basis. • Those who have access to personal records relating to children, young and/or vulnerable people (including aged care and frail aged). • Functions of a type prescribed by regulation.
Reasonable grounds to suspect	Refers to 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.
Relevant history screening	Refers to the process of undertaking a National Crime Check and where required, additional screenings such as a 'Working with Children Check' or 'Aged Care Sector Employment Check' as it relates to the position. This process obtains information about potential or current employees, volunteers, contractors or consultants, where it is deemed relevant to working in a child, youth or vulnerable person related area. The information may include previous employment

Relevant history screening continued.	history, relevant experience, qualifications, professional registration, criminal history information, reference checks and work history reports. Any employee or volunteer with a prescribed position will undertake relevant history screening.
Vulnerable people	Refers to those aged 18 years and over who may be at risk of abuse or exploitation due to their dependency on others or experiences of disadvantage, and could include people with a disability, the frail aged, people from culturally and linguistically diverse backgrounds, refugees and those living in poverty.
Worker	Refers to any person carrying out duties or performing tasks for and on behalf of Council, whether they are paid or unpaid, including staff, contractors, consultants, trainees, volunteers, work placement students and any other person who has access to Council's electronic systems and services in a full-time, part-time or casual capacity.
Working with children	Refers to being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity. Working includes paid and unpaid work.
Young person (people)	Refers to a person aged between 18 and 25 years.

5 Policy

5.1 Commitment

- 5.1.1 Council is committed to providing safe environments at Council facilities and when delivering services to and for children, young, and vulnerable people. This Policy outlines appropriate standards of conduct for adult workers interacting dealing with children, young and vulnerable people.
- 5.1.2 Council will apply the National Principles for Child Safe Organisations to services directly aimed at children and young people and incorporate safety considerations as a part of usual Work Health and Safety Assessments undertaken on programs, initiatives, and activities provided.
- 5.1.3 Although some factors are outside the control of Council, it is recognised that Council has a role to play in fostering a safe local environment and contributing to a whole of community effort in the protection of children, young people and vulnerable people from harm or risk of harm.

5.2 Communication

- 5.2.1 This policy is available on the Council website, or to children, young people, vulnerable people, and their families on request.
- 5.2.2 Council encourages and respects the views of children, young and vulnerable people and will involve them in decision-making as appropriate. Council provides age and/or developmentally appropriate explanations as required, including information on their right to be listened to and right to safety.

5.3 Code of Conduct

- 5.3.1 Caring for children, young people and vulnerable people comes with additional responsibilities for all workers. Council are responsible for promoting and protecting the safety and wellbeing of children, young people and vulnerable people and has a Code of Conduct for a Child Safe Organisation in place that specifies acceptable and unacceptable behaviours.
- 5.3.2 Workers must abide by Council's Safe Environment Policy, and the Code of Conduct for a Child Safe Organisation (the Code of Conduct) at all times and take all reasonable steps to ensure the safety and protection of children, young people and vulnerable people.
- 5.3.3 Breaches or suspected breaches of the Safe Environment Policy and/or the Code of Conduct for a Child Safe Organisation should be reported as soon as practicable to management. Breaches or suspected breaches will be taken seriously and dealt with quickly, fairly and transparently.
- 5.3.4 Any worker who breaches the Code of Conduct will face disciplinary action and depending on severity of the breach, the worker may have their employment terminated.

5.4 Recruitment

- 5.4.1 Recruitment practices are in place to ensure Council engages the most suitable people to work with children, young people or vulnerable people.
- 5.4.2 Council will maintain a rigorous employee and volunteer recruitment process, with appropriate selection processes, inclusive of relevant history screening for all roles.
- 5.4.3 Council will maintain a regular check of existing employees and volunteers in prescribed positions.
- 5.4.4 In accordance with the Child Safety (Prohibited Persons) Act 2016, Council is registered with the Department of Human Services (DHS) Screening Unit and links all Working with Children Checks (WWCC) to its corporate registration.
- 5.4.5 All workers over the age of 14 years, who will be working in a role with children, young people or vulnerable people, must hold a current, not prohibited WWCC issued by the DHS Screening Unit. Evidence of the WWCC must be provided prior to employment, and the screening must be renewed every five (5) years. Council will verify the accuracy of all WWCCs in the DHS Screening Unit portal as required by law.
- 5.4.6 Council will immediately contact the DHS Screening Unit, if a Worker becomes aware of assessable information including any serious criminal offence, child protection, disciplinary or misconduct information regarding a person involved with our organisation.

5.5 Training, supervision and support for workers

- 5.5.1 Council has strategies in place to supervise, train and support workers in prescribed positions to understand the Safe Environment Policy, fulfil mandatory reporting obligations, deal with complaints and issues effectively as they arise and meet responsibilities to create a child safe and friendly environment.
- 5.5.2 Workers in prescribed positions must complete mandated notification training to understand their mandatory notification obligations. Two training options are available to workers, either: 'Safe Environments: Through Their Eyes', or Responding to Risks of Harm, Abuse and Neglect – Education and Care (RRHAN-EC). All workers in prescribed positions must complete the full course and attend refresher courses as required to maintain currency of their certification. Evidence of training attendance and certification will be recorded in personnel containers and tracked via the Council's Training Needs Analysis (TNA) system.
- 5.5.3 Council operates in a spirit of cooperation and consultation with other relevant agencies in matters concerning protection of children, young and vulnerable people from harm and risk of harm.
- 5.5.4 Council develops, monitors, evaluates and reviews risk management strategies to minimise harm to children, young and other vulnerable people. Areas of risk assessment include human resources, activities and programs, record keeping, physical spaces, and organisational culture.
- 5.5.5 Council develops and maintains internal procedures and guidelines to assist in complying with this policy and the relevant legislation.

5.6 Reporting and responding to harm or risk of harm

- 5.6.1 Mandated reporters have a legal obligation to report directly to the Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable if they have a suspicion that a child or young person has been harmed or may be at risk of harm. If the child or young person is at immediate risk, report to South Australia Police (SAPOL) on 000.
- 5.6.2 Any person 18 years or older in a prescribed position must report any suspicion of abuse or neglect of a vulnerable person (aged or disabled) to SAPOL or to the Adult Safeguarding Unit on 1800 372 310 or email adultsafeguardingunit@sa.gov.au. The Adult Safeguarding Unit responds to concerns of abuse of vulnerable adults aged 65 years and over, as well as Aboriginal or Torres Strait Islander People aged 50 years and over.
- 5.6.3 Any person (even if not a mandated reporter) can report harm or risk of harm to a child, young person or vulnerable person. The non-mandated reporter who identifies the harm or risk of harm is encouraged to make a report to authorities and can request support from another worker to do so if required.

- 5.6.4 All adult workers (even if not a mandated reporter) have a legal obligation to report child sexual abuse by another worker to the police and to protect a child from sexual abuse by another worker. Failure to meet these obligations may be considered a criminal offence.
- 5.6.5 Following a report to CARL, SAPOL or the Adult Safeguarding Unit, workers must make an internal report to management.
- 5.6.6 If a worker is reported to CARL, SAPOL or the Adult Safeguarding Unit for causing harm or for posing a risk of harm to a child, young person, or vulnerable person, they will be removed from any role that involves working with any child, young or vulnerable person. until authorities have concluded their investigation.
- 5.6.7 Following a report to CARL, SAPOL or the Adult Safeguarding Unit, Council will support the child, young person or vulnerable person by referring them or their family to appropriate services.
- 5.6.8 Council will document all information received regarding a report and store the records securely in Council's Electronic Document and Records Management System.

5.7 Reporting and responding to general complaints or feedback

- 5.7.1 Children, young people, vulnerable people and their families can provide feedback or make a complaint at any time. Compliments, complaints or feedback can be provided verbally to any worker or direct to Council by telephone on 8522 9211 or via email at council@gawler.sa.gov.au
- 5.7.2 Council will deal with all complaints and feedback received promptly, sensitively and fairly. Complaints will be dealt with according to the Complaints Policy and the Complaints Resolution Procedure.
- 5.7.3 Council will prioritise the safety and wellbeing of children, young people and vulnerable people when handling complaints and concerns.
- 5.7.4 If the child or young person or vulnerable person or their family is not happy with the outcome following a complaint, a review may be requested, in line with Council's Internal Review of a Council Decision Policy and Procedure.

5.8 Risk management

- 5.8.1 Council has the following risk mitigation strategies in place to minimise the risk of harm to children and young people and vulnerable people.

Identified risk	Actions to minimise risk
Physical contact	- physical contact must be appropriate to the delivery of services being provided - if physical contact is required, this is undertaken in a safe way by explaining why contact is required, what will happen, and asking the child/young person/vulnerable person for their permission (or their family if this is more appropriate) before proceeding - unnecessary physical contact is not allowed
Online communications	Council's Electronic Communication and Facilities Policy, and social media guidelines are in place and provided to all workers
Transport of children and young people	workers do not have approval to transport a child/young person
Supervision	- it is expected that children and young people that access Council facilities and services are supervised by parents/guardians at all times, except for specific instances where supervision is provided by workers (such as when attending programs in the Youth Space). - one to one consultation with a child or young person will be in line of sight of another adult - if child/young person not collected by parent/guardian at end of session, two adults are to stay with child/young person until they are collected

Taking images of children and young people	- consent of child/young person and their parent/guardian is required - disclosure will be made to the child/young person and parent/guardian as to how the image is to be used
Physical environment	- maintain a risk register that is reviewed annually to ensure effectiveness - conduct risk assessments for all activities - ensure all equipment is in good working order
Privacy and confidentiality	- documents containing confidential information will be stored securely with restricted access - digital files containing confidential information will be protected electronically with restricted access - workers must not disclose information regarding any child or young person or vulnerable person without the consent of the child, young person and their parent/guardian, or vulnerable person, unless legally required to

6 Administrative Information

Document Type	Policy
Procedure Developer	Manager Library and Community Services
Record Number	CR26/44003
Audience	Public
Category	Community Services
Adopted & effective Date	26 May 2026
Applicable Legislation	Children and Young People (Safety) Act 2017 Child Safety (Prohibited Persons) Act 2016
Review due by	May 2030
Adopting Authority	Council
Additional Information	A Child Safe Environment Compliance (CSEC) statement must be lodged with the Department of Human Services (DHS) via their website after this Policy. Is adopted.

7 Version History

Revision	Date	Change
1	26 May 2026	Policy in new corporate template. Substantial additions to align with the Department of Human Services (DHS) Child Safe Environments Policy template for Local Government.