



SLSA Child Safe Policy

South Australian Addendum

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Responsible Portfolio:	Integrity
Authority:	This Policy is made under clause 39 of the SLSA Constitution. It is binding on all South Australian Members of SLSA and is to be interpreted in accordance with the SLSA Constitution.

1 INTRODUCTION

In South Australia, organisations providing services to children and young people must, by law, provide child safe environments. Those organisations must:

- have child safe environments policy(ies) in place and at a minimum, review their policy(ies) once every 5 years
- meet Working with Children Check (WWCC) obligations, and
- lodge a child safe environments compliance statement with the Department of Human Services (**DHS**) and lodge a new statement each time policy(ies) is reviewed and updated (or every 5 years, whichever occurs first).

This South Australian Addendum (**Addendum**) has been developed to supplement the SLS Child Safe Policy to meet compliance requirements. To the extent of any inconsistency between this Addendum and the SLS Child Safe Policy, this Addendum will prevail in South Australia. Any capitalised terms used and not defined in this Addendum have the meaning given in the SLS Child Safe Policy.

The SLS Child Safe Policy and this Addendum must be read, interpreted and applied with reference to, and in conjunction with, the Safety Act and Prohibited Persons Act as defined in section 2 below.

The purpose of this Addendum is to ensure that SLS Entities and members in South Australia comply with their legislative obligations under South Australian Child Protection Legislation. This Addendum is not intended to create any additional Prohibited Conduct under the Child Safe Policy.

2 DEFINITIONS

Defined terms not otherwise defined in this Addendum have been defined in and have the meaning given to them, in the SLSA Child Safe Policy. In this Addendum the following words have the corresponding meaning:

Harm as defined in Section 17 of the Safety Act means physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental, or emotional abuse or neglect. This definition should be read in conjunction with the definition of Child Abuse as outlined in Annexure A of the SLSA Child Safe Policy.

Mandatory Notifiers means people specified under the Safety Act to report to the Department for Child Protection if they suspect on reasonable grounds that a child is, or may be at, risk and this suspicion is formed in the course of their work (paid or unpaid).

Prescribed Position means a position:

- in which a person works, or in the ordinary course of his or her duties, it is reasonably foreseeable that a person in that position will work, with children and/or young people.
- set out in the Child Safety (Prohibited Persons) Regulations 2019 (SA).

Prohibited Persons Act means the *Child Safety (Prohibited Persons) Act 2016* (SA), being the South Australian legislation regarding Working with Children Check requirements.

Risk as defined in Section 18 of the Safety Act. This includes that a child or young person will be taken to be at risk if:

- a. the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- b. 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).

Safety Act means the *Children & Young People (Safety) Act 2017* (SA), being the South Australian Child Protection Legislation.

Surf Life Saving South Australia (SLSSA) is the governing body for Surf Life Saving in South Australia.

3 SCOPE

The Addendum applies to all Relevant Organisations and Relevant Persons affiliated with SLSSA.

4 WORKING WITH CHILDREN CHECKS (WWCC)

- 4.1 The Prohibited Persons Act requires people working or volunteering with children in South Australia to have a valid WWCC prior to commencing working with children and young people.
- 4.2 A Relevant Person who works in a Prescribed Position must have a valid WWCC.
- 4.3 A Relevant Organisation can only appoint or continue to appoint a Relevant Person in a Prescribed Position if:
 - a. they have verified that the Relevant Person has had a WWCC conducted in the last 5 years; and
 - b. the person is not prohibited from working with children.
- 4.4 The Prohibited Persons Act requires organisations to contact the Central Assessment Unit (DHS Screening Unit) if:
 - a. they become aware of any assessable information in relation to the person
 - b. they become aware that the person is prohibited from working with children under a law of the Commonwealth or of another state or territory
 - c. they become aware that the person is (or becomes) a registrable offender under the *Child Sex Offenders Registration Act 2006*
 - d. the person makes a disclosure to the employer under section 66 of the *Child Sex Offenders Registration Act 2006*.

5 MANDATORY NOTIFIERS

- 5.1 Under the Safety Act, the following people are mandated notifiers:
 - a. employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, childcare, or residential services wholly or partly for children and young people, being a person who:

- i. provides such services directly to children and young people or
 - ii. 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 people¹.
- 5.2 Mandated notifiers are required by law to notify the Department for Child Protection via the Child Abuse Report Line (CARL), Phone: 13 14 78, if they suspect on reasonable grounds that a Child is, or may be, at risk and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.
- 5.3 By way of general guidance, reporting obligations arise where there is "a reasonable suspicion" that a Child may be "at risk".

6 CHILD SAFE ENVIRONMENTS COMPLIANCE

- 6.1 Under the Safety Act, Relevant Organisations affiliated with SLSSA:
 - a. with significant membership of, or involvement by, Children and Young People; or
 - b. who provide coaching to Children and Young People, must:
 - i. prepare or adopt policies and procedures designed to ensure that safe environments for Children and Young People are established and maintained; and
 - ii. lodge (or have a representative body such as SLSSA lodge on its behalf) a statement with the Department of Human Services certifying that these child safe environment policies and procedures are in place for affiliated clubs.
- 6.2 Adoption and implementation of the SLS Child Safe Policy and this Addendum will assist Relevant Organisations affiliated with SLSSA meet these obligations.
- 6.3 To be included on SLSSA Child Safe Environments Compliance Statement, Relevant Organisations affiliated with SLSSA must provide the required information annually as specified by SLSSA.
- 6.4 Failure to do so means that a Relevant Organisations affiliated with SLSSA will need to separately and independently lodge a compliance statement of its own, confirming its compliance (assuming appropriate compliance steps have been taken). Failure to lodge a compliance statement can result in a fine up to \$10,000).

7 SLS CHILD SAFE POLICY IMPLEMENTATION

7.1 Risk Management

- a. SLSSA takes a risk-based approach to ensure that all activities are child safe and will undertake risk assessments for any activity that may involve contact with children.
- b. The risk assessment will consider:
 - i. the contact (with Children) and levels of direct supervision.
 - ii. the risk factors.
 - iii. the mitigation factors.
 - iv. the management strategies.

¹ Section 30(3), Children and Young People (Safety) Act 2017

7.2 Involving Children

SLSSA is committed to involving children in decisions that affect them and providing them with information about their rights. SLSSA will do this by:

- a. having a Youth representative is included on a State Leadership Panel or State Committee.
- b. obtaining feedback from Children through surveys or focus groups.
- c. displaying child-friendly posters about Children's rights and how to raise a concern at local sports clubs/venues.

7.3 Supporting Employees and Volunteers

SLSSA is committed to providing Employees and Volunteers with ongoing training and support to ensure they understand their responsibilities in relation to Child safety. SLSSA will do this by:

- a. conducting an induction for all employees and volunteers outlining their obligations under the SLS Child Safe Policy, this Addendum and Child Safe Practices.
- b. undertaking regular performance appraisals.
- c. regular supervision sessions that include a focus on Child safety and wellbeing.
- d. appointing a Child safety officer.
- e. providing access to online resources about issues concerning Child safety and wellbeing.
- f. providing staff with professional development opportunities to build knowledge and skills regarding the wellbeing and development of Children and Young People.

7.4 Communication and Awareness of SLS Child Safe Policy

SLSSA is committed to promoting a child-safe sporting environment. SLSSA will do this by:

- a. having a dedicated, easy to access child safe and member protection area on its website.
- b. providing information about the SLS Child Safe Policy, this Addendum, Child Safe Practices and Recruitment and Screening requirements as part of membership and event registration, affiliation agreements and coach and officials accreditation.
- c. utilising social media channels to promote the SLS Child Safe Policy, this Addendum and the value Surf Life Saving places on Child safety.
- d. displaying posters about Child Safe Practices and how to make a complaint or provide feedback at local sports clubs/venues.