

Child Safe Environments Policy

Children and young people have a right to be safe and protected at all times, including when accessing services in the community. Both the Children and Young People (Safety) Act 2017 (Safety Act) and the Child Safety (Prohibited Persons) Act 2016 require a broad range of government and non-government organisations to provide child safe environments.

Child safe environments are safe and friendly settings where children and young people are protected and feel respected, valued and encouraged to reach their full potential. Organisations providing child safe environments:

- take a preventative, proactive and participatory approach on child wellbeing and safety issues value and embrace the opinions and views of children and young people
- assist children and young people to build skills that will assist them to participate in society
- are focused and take action on the protection of children and young people from harm.

The commitment to protect and support children and young people should be embedded in every organisation's culture so that everyone is aware of their responsibilities and the shared commitment to keep children and young people safe and protected. Sharing the responsibility for the care and protection of children and young people helps to develop a stronger, more child-focused and child-friendly community.

To meet the obligations of the Children and Young People (Safety) Act, organisations (this includes sole traders and people working in partnerships) must:

- have a child safe environments policy in place
- meet the South Australian working with children check obligations and
- lodge a child safe environments compliance statement with the Department of Human Services.

Organisation's policies and procedures must comply with the National Principles for Child Safe Organisations (as these principles apply to the organisation). For an organisation to maintain child safe environments, child safe policies and procedures must:

- be current and
- regularly reviewed, and
- updated where needed (if your policies change or every 5 years at a minimum).

Purpose of policy

This policy was written to demonstrate the strong commitment to child safety at the Onkaparinga Swimming Club. The Club has established and is maintaining a child safe and child friendly environment.

The Club promotes equity and respect diversity by:

- anticipating children's diverse circumstances and responding effectively to those with additional vulnerabilities;
- giving all children, parents, guardians and carers access to information, support and a complaints process;

- paying attention to the needs of Aboriginal and Torres Strait Islander children, children with a disability and children from culturally and linguistically diverse backgrounds.

This policy reflects our commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from harm. It complies with our obligations under the Children's Protection Act 2017, including:

- Section 8B – 8D – child safe environments and criminal history assessments for people working with children; and
- Section 11 – Mandatory reporting.

It also complies with the Child safe environments: Principles of good practice and Child safe environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children issued by the Chief Executive. (The *Children and Young People (Safety) Act 2017*).

Scope

- the policy will apply to coaches/employees, official volunteers, parents, children, extended families and sponsors.
- The club's expectations will include the requirement to accept and act on the policy and the document will be uploaded for all members to access.
- The Club encourages the swimmers and young people to participate and provide feedback. This can be done a group meeting and or through coaches, committee and club captains.
- The club is open and able to manage view and constructive input around the Child Safe Environments policy. This can be done by raising concerns, complaints and ideas and these forms of participation with allow for consultation via surveys, clinics, development opportunities.

Implementation

It is a requirement that the Club ensures all children participating in club activities are cared for, are adequately supervised and every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury.

The Club's focus is to build a child safe environment which is reflected in this policy and club procedures and is understood and adhered to. Club members conduct annual sign off with Swimming SA to abide by Policies, Procedures and Members Code of Conduct.

Commitment

All children who participate in Club activities have a right to feel and be safe. The Club is committed to the safety and well-being of all children and young people accessing club services and the welfare of the children in our care will always be the clubs first priority and the club's aim is to create a child safe and child friendly environment where all children are valued and feel safe.

Communication

Chapter 8 (Section 114(5)) of the Children and Young People (Safety) Act 2017 requires the Club to, on request, provide a copy of the Child Safe Environments policies and procedures prepared or adopted by the club.

Reporting and Responding

Information about making appropriate reports of abuse or neglect is available from the Families SA website <http://www.families.sa.gov.au/childsafes>. All committee, officials, employees and support staff, understand their obligation to notify the Child Abuse Report Line (CARL) on 13 14 78 or if at immediate risk, report to South Australia Police on 000. For mandated notifiers these are legal obligations.

This should be done if there is reasonable suspicion that a child has been, or is being, abused or neglected.

The Club also ensure that employees have access to relevant information resources such as:

- Child safe environment: Guidelines for mandated notifiers - available to view or download from www.families.sa.gov.au/childsafes
- Free online Strategies for Managing Abuse Related Trauma (SMART)- Learning package, developed by the Australian Childhood Foundation: www.childhood.org.au

The Onkaparinga Swimming Club Management Committee will ensure that support is also available for the person/persons making the report, particularly where an ongoing service is provided to the child, young person and their family.

The Club will:

- ensure all employees, support staff, officials and volunteers to read and understand the Mandatory Notification Information Booklet found @ www.dhs.sa.gov.au/cse
- require all employee, support staff, management committee and committee members, and volunteers to complete the online SMART (Strategies for Managing Abuse Related Trauma) training:- <https://professionals.childhood.org.au/prosody/2015/07/smart-online>
- require mandated notifiers in your organisation to attend a 'Safe Environments: Through Their Eyes' training course
- include child safety as a standing item on meeting agendas.

After a report is made, the Club may still have a role in supporting the child or young person. This could include:

- referring the child, young person or their family to other appropriate services
- continuing to provide a service to the child or young person and their family and monitoring their circumstances
- displaying information about services that can assist children, young people and their families (Kids Helpline on 1800 55 1800 and Youth Helpline on 1300 13 17 19).

Risk management

To support and maintain a safe environment for children and young people, the Onkaparinga Management, Committee and coaches will review its risks regularly and implement strategies to minimise and manage these risks. Risks identified that are relevant to the Club:

- transportation from one place/environment to another
- taking images of children and young people
- supervision of children and young people
- physical environment
- physical contact

- cyber safety and social media guidelines
- protecting privacy and confidentiality
- procedures for dealing with situations where a member is being investigated for, or is charged with, a serious criminal offence.

Harassment/Bullying

The Onkaparinga swimming Club opposes all forms of harassment, discrimination and bullying. The Club will take this issue seriously and encourage anyone who believes that they, or another person, has been harassed, discriminated against or bullied to raise this issue with the Club Members Protection Officer.

Recruitment

The Club will work with all committee members, employees and volunteers to work with children and young people. The Club is required by law, that the Club must follow the process required and seek committee, coaches, officials, financial members (over 14) and parents working/ volunteering with club swimmers must have a current working with children check.

The club seeks to have documentation in place to enable the right steps are followed by including:

- clear position descriptions and face-to-face interviews/discussions
- working with children checks unless an exemption applies
- qualification checks
- on-the-job observations
- a club statement that meets the requirements of the Child Safety (Prohibited Persons) Act 2016, which requires that employees and volunteers have a valid Working with Children Check (WWCC) issued by the Screening Unit of the Department of Human Services.

Supervision and Training

The Club will provide support to employees and volunteers to maintain a child safe environment. This policy will be form part of renewal of membership to update information that relates to how the club will:

- train and support employees and volunteers to understand their mandatory reporting obligations and their responsibilities to create a child safe/friendly environment
- Committee Members will complete 'Safe Environments: Through Their Eyes' training every 3 years and recommend parents can participate in the same training.

Systems to support the governance of persons working with children include:

- An induction which includes all members having access to a copy of this policy
- Review of positions
- Supervision and learning opportunities that include a focus on child safety and wellbeing
- The Club will have a trained child safety officer
- The club will maintain a web-based resource for child safety and wellbeing
- Professional development opportunities to build knowledge and skills regarding the wellbeing and development of children and young people.

Policy Review

The Club will evaluate and review the policy and the related procedures every 5 years as required by the Children and Young People (Safety) Act 2017 or in other instances where the Club is reviewing its documents.

The Club will lodge a new child safe environments compliance statement with Department of Human Services each time the policy is updated, this is a requirement under Section 115 of the *Children and Young People (Safety) Act 2017*. New lodgement for the Child Safe Environments Compliance System will be found on the Department of Human Services website. See: www.dhs.sa.gov.au/cse.

Related policies and procedures

Related policies and procedures that support your child safe policy:

- Code of Conduct
- Statement signed by employees, support staff, officials and volunteers of the Club and or the parents/guardians indicating they have read, accept and will act in accordance on this policy
- Procedure for dealing with members charged with, or under investigation for, a serious criminal offence
- Mandatory reporting procedures - where a reasonable belief is reported to the Club.
- Risk management strategy any other policies or procedures developed to manage risks and protect children and young people.
- System in place by the Club for uploading the compliance statement through the online Child Safe Environments Compliance (CSEC) system www.dhs.sa.gov.au/cse

Code of Conduct

The Onkaparinga Swimming Club expects high standards of behaviour from all people involved in the sport of swimming, and it is vital the integrity of this sportsmanship is maintained at Onkaparinga. The principles of fairness, respect, responsibility and safety will be maintained at all levels of participation in the Club. The Club is committed to upholding the principles of:

- Fairness: operating within the spirit of the rules, never taking an unfair advantage and making informed and honourable decisions at all times.
- Respect: recognising the contribution that people make to sport, treating them with dignity and consideration, as well as caring for the property and equipment they use.
- Responsibility: taking responsibility for one's actions and being a positive role model at all times. Safety Encouraging healthy and safe procedures, preventing and reporting dangerous behaviour, while demonstrating concern for others.

Swimming Australia promotes the following codes of conduct to all people involved in any way with the sport of swimming, particularly those responsible for activities involving members under the age of 18 years. We as a Club also adopt this code and core principles of the Members Welfare and Child Welfare policies.

As a person involved in any way with the sport of swimming, the following Swimming Australia's standard of behaviour is expected:

- Respect the rights, dignity and worth of others.
- Be ethical, considerate, fair and honest in all dealings with other people and organisations.
- Be professional in, and accept responsibility for your actions.

- Make a commitment to providing quality service.
- Be aware of Swimming Australia's standards, rules and policies.
- Operate within the rules and spirit of the sport, including the national and international guidelines that govern Swimming Australia.
- Understand the possible consequences of breaching Swimming Australia Member Welfare and Child Welfare Policies
- Immediately report any breaches of the Swimming Australia Member Welfare and Child Welfare Policies to the appropriate authority.
- Refrain from any form of abuse towards others.
- Refrain from any form of harassment toward others.
- Refrain from any form of discrimination toward others.
- Refrain from intimate relations with members whom they have a supervisory role or power over.
- Refrain from any form of victimisation toward others.
- Provide a safe environment for the conduct of activities in accordance with any relevant Swimming Australia policy.
- Show concern and caution toward others that may be sick or injured.
- Be a positive role model.

AUTHORISATION

Adopted by the Club and approved the President  Date 01 / 12 /2021

REVIEW DATE October 2026

APPENDIX 1 – Working with Children Checks

All Management Committee, committee members, employees support staff, club officials, parents who occupy a prescribed position, members over 14 years of age and non-member parents, as per the Children and Young People (Safety) Act 2017, are required to undergo a WWCC once every five years. WWCC is also required prior to undertaking work with children.

All **financial members** of Swimming SA over the age of 14 years are eligible to apply for a free Working With Children Check (WWCC) through Swimming SA. Unfortunately, this is only a benefit for current financial club members. To register:

- Use the SwimmingSA link and enter your details onto the form (name, email address, date of birth, club name): <https://form.jotform.co/swimmingsaevents/wwc-application-form>
- SwimmingSA will assess your WWCC request; if you meet the age and membership criteria SwimmingSA will initiate your FREE WWCC application with the Department of Human Services (DHS).
- DHS will email through your WWCC application link to your nominated email address. You will need to complete the online application form, provide/upload 100 points of ID and submit the application.
- If you're unable to have your ID verified online (foreign passport, birth certificate, under 18years), you will need to have the Requesting Organisation – SwimmingSA verify your documents. Normally the documents need to be verified in-person by SwimmingSA, but during COVID times they are happy to accept an emailed copy of ID to admin@sa.swimming.org.au with the following attachments:
 - i. 100 points of ID minimum – The combination of the applicant's identity documents must include the applicant's full name, the date of birth, at least one document from Category A or Category B, and a photograph of the applicant (in an item from any category).
 - ii. a signed copy of the Page 6 of the application form, which must be signed by a parent/guardian for people under 18 years of age.
- Swimming SA will then compile the signed application and proof of identity and send off to DHS.
- Once you have received your WWCC, you will need to upload a copy to Swim Central.

NOTE: Delays of up to four weeks may be experienced in processing screening checks due to unprecedented demand for the National Police Checking Service (NPCS). Read the latest on screening application delays.

Non-financial club members will need to apply for a WWCC via the DHS website: <https://screening.sa.gov.au/applications> and send their certificate number and expiry date to secretary@onkaswimclub.com.au.

When it is revealed that an individual has a criminal history, this information will be treated in accordance with the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children.

New working with children checks



From 1 July 2019, people who work or volunteer with children need a working with children check



Children's residential or protection services



Religious organisations



Child minding services



Clubs and associations



Education and training



Party entertainers



Health and allied services



Emergency services



Transport services



Coaching and tuition

What sort of check do you have?



I have a current DHS/DCSI child-related employment screening

You can keep using it until it expires; then you must get a working with children check



I have a current National Police Certificate assessed by my organisation

Under the new law, you can use it until 1 July 2020; then you must get a working with children check



I have a current professional registration

Teachers, health service, and transport service workers who work with children must get a working with children check before they renew their current professional registration



I don't have a current check

Under the new law, you can't work or volunteer with children unless you have a valid check. You can either:

- 1 Talk to your organisation to get a DHS child-related employment screening before 1 July 2019
- 2 Wait until 1 July 2019 to apply directly for a working with children check

What's the difference?

DHS child-related employment screening
(Before 1 July 2019)



Valid for 3 years



Organisation starts the application

Working with children check
(After 1 July 2019)



Valid for 5 years



Do your own application

National Police Certificate
(After 1 July 2020)



Not valid for working or volunteering with children

The law



Screening Unit

From 1 July 2019, the Department of Human Services Screening Unit is the **only** service that can conduct working with children checks in South Australia



From 1 July 2019, it is illegal to

- Work or volunteer with children without a valid working with children check
- Employ a person or volunteer who doesn't have a working with children check, or is prohibited from working with children

Get ready



Don't leave it to the last minute – allow at least six weeks to process your application

If you are renewing a current DHS screening, you can submit a new application up to six months before your current one expires



Talk to your employer about getting a DHS child-related employment screening before 1 July 2019, or you can apply for a working with children check directly from 1 July 2019

Go to: www.screening.sa.gov.au



POLICY

Safeguarding Children, Vulnerable & Young People (Working with Children Check Adoption)

POLICY No: 7005

EFFECTIVE: 1st July 2019



The Safe Sport Framework (SSF) confirms the shared responsibility we all have for keeping each other safe in swimming - children and adults alike. The Safe Sport Framework replaced our previous child and member welfare policies and procedures from 29 July 2016, as well as our Codes of Conduct.

The Swimming Australia Safe Sport Framework consists of the following Parts:

Part 1: Introduction – our Safe Sport Framework and Safe Sport Commitment;

Part 2: Our Child Protection Commitment Statement;

Part 3: Our Codes of Conduct (including in relation to Children or Young People); and

Part 4: Our Safe Sport Complaint Procedures.

The complete Safe Sport Framework is available here - <https://www.swimming.org.au/Home/Swimmer-HQ/A-Sport-For-Everyone/Safe-sport.aspx>

An integral part of Swimming Australia's Safe Sport Commitment is the Swimming Australia Child Protection Commitment Statement. It consists of a set of principles and procedural benchmarks in relation to the protection of Children or Young People that Swimming Australia and its Clubs have in place for everyone involved in our Sport.

Swimming Australia and its Clubs endorse and support the principles of the United Nations Convention on the Rights of the Child 1989 (ratified in Australia in 1990). The Convention recognises that Children or Young People under the age of 18 years need special care and protection.

In addition, Swimming Australia and its Clubs will endeavour to become and remain compliant at all times with the Seven Standards of the Safeguarding Children Accreditation Program of the Australian Childhood Foundation. The Standards as set out below, when implemented in their totality, support Swimming Australia and its Clubs to develop and maintain an effective child safe culture across all of their activities, programs and services.

Standard One: Commitment to Safeguarding Children or Young People

Standard Two: Personnel roles and conduct

Standard Three: Recruitment and screening

Standard Four: Personnel induction and training

Standard Five: Involving Children or Young People and parents

Standard Six: Child Abuse reports and allegations

Standard Seven: Supporting a child-safe culture

THE LEGISLATION

Add legislation links for:

- Children and Youngs Peoples (Safety) Act 2017
- Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017
- Child Safety (Prohibited Persons) Act 2016

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- Child Safety (Prohibited Persons) Regulations 2019
- Statutes Amendment (Screening) Bill 2019

WORKING WITH CHILDREN CHECK – LEGISLATION & POLICY

Section 2.6 of the Safe Sport Framework provides provisions for background and Screening checks for people within the sport in a position of authority.

A Person in a Position of Authority includes everyone who holds a position of authority in our Sport, whether paid or unpaid, and includes, but is not limited to, all Swimming Australia and Club staff, coaches, officials and volunteers. For the avoidance of doubt, a Person in a Position of Authority also includes Children or Young People who may hold a position of authority in our Sport over other Children or Young People.

Unless the law provides otherwise, all Swimming Australia Limited, Member Association and Club boards (however named) and employees must have a satisfactory Working with Children Check in the appropriate jurisdiction in which they spend the majority of their working time.

All states and territories have introduced legislation providing for child-related employment pre-screening, and there are important differences across jurisdictions. For further information regarding requirements outside of South Australia please visit - <https://aifs.gov.au/cfca/publications/pre-employment-screening-working-children-checks-and-police-checks/part-b-state-and>

Under South Australian Law Volunteers are deemed to be employees and are referenced as such in the legislation. For further South Australian specific legislation and requirements see below.

WORKING WITH CHILDREN CHECK – CURRENT & FUTURE REQUIREMENTS

Current Requirements

The Acts & Regulations:

- Childrens Protection Act 1993 (Division 3)
- Childrens Protection Regulations 2010

All staff and volunteers who occupy a prescribed position (as set out under section 8B (8) of the South Australian Children's Protection Act 1993) are required to undergo a relevant history assessment once every three years unless an exemption applies.

A relevant history assessment includes obtainment of one of the following documents:

- SA Police Screening
- DCSI Screening
- AFP Screening

The Future – THE LEGISLATION IS CHANGING FROM JULY 1 2019

POLICY

Safeguarding Children, Vulnerable & Young People (Working with Children Check Adoption)

POLICY No: 7005

EFFECTIVE: 1st July 2019



The acts and regulations below will replace those listed above:

- Children and Young People (Safety) Act 2017
- Child Safety (Prohibited Persons) Act 2016
- Child Safety (Prohibited Persons) Regulations 2019

Stronger, nationally consistent screening laws for people wanting to work or volunteer with children in South Australia start on 1 July 2019.

The new laws require people working or volunteering with children to have a valid working with children check (WWCC), replacing the current system where people can have either national police check assessment done by an employer, or a DHS screening.

From 1 July 2019, a WWCC can only be issued by the DHS Screening Unit.

A valid WWCC is transferrable between different jobs or volunteer positions and lasts for five years. Continuous monitoring will remain in place for WWCCs, which will be re-assessed as new information becomes available. If a re-assessment results in a person being prohibited from working with children, both the person and their employer will be notified.

TRANSITION & CHANGE

Commencement & Transition: Commencement Date - 1st July 2019

While the Child Safety (Prohibited Persons) Act has been passed, or 'assented', by Parliament, it has not yet 'commenced'. Further legislative changes to put in place transitional arrangements and make consequential amendments passed Parliament in late 2017 (the Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017).

The parts of this transitional Act regarding working with children checks won't commence until the Act is implemented. The Act has not yet commenced and the new system of working with children checks has not started. Once the regulations are finalised and made, then a date will be set for the Act to commence.

Is My Police Clearance still acceptable?

An assessment of relevant history (Police Clearance) conducted in respect of a person within the 3 years preceding the commencement of this section will, for the purposes of the Child Safety (Prohibited Persons) Act 2016, be taken to be a working with children check in respect of the person conducted under that Act. There is a 12month transition period eg. by 1st July 2020 all WWCC must be issued by DHS therefore a Police Clearance will not be accepted from this date.

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EFFECTIVE: 1st July 2019



Why the Change?

The new Act implements a number of recommendations made by Royal Commissioner Nyland of the South Australian Child Protection Systems Royal Commission (2014). The Commissioner's recommendations about improvements to the child protection system in her report included recommendations concerning working with children checks in South Australia.

The Act also implements recommendations from the August 2015 Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse and final recommendations on working with children checks.

The Act provides for a consistent, efficient and transparent system, in line with these recommendations. The new system will eliminate the current two-tiered arrangement, whereby some organisations rely on a National Criminal History Check instead of a check undertaken through the Department for Communities and Social Inclusion's Screening Unit. Under the new system a person will need to undertake a working with children check. The person will only be allowed to work or volunteer with children if they have this check.

The checks will be:

- valid for a period of five years
- transferable between different jobs or volunteer positions
- continuously monitored as new information, such as a new criminal conviction, becomes available
- undertaken through a single, centralised assessment unit responsible for all working with children checks on individuals.
- Employers will be able to use a persons' unique identifier that they receive when the working with children check is completed, to check a records management system to see if a working with children check has been done and also to see if a person is a prohibited person.

WHAT IS A CHILD RELATED SCREENING / CHECK?

Child-related employment screening is required to assess whether a potential employee or volunteer could pose a risk to the safety of children, while working for an organisation offering these services:

- health
- child and family welfare
- education
- sporting or recreational
- religious or spiritual instruction
- child care and child protection
- cultural
- entertainment
- residential

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POLICY No: 7005

EFFECTIVE: 1st July 2019



SWIMMINGSA POLICY – WORKING WITH CHILDREN CHECKS

All SwimmingSA members required by legislation to obtain a Working With Children Check must obtain a Check and upload their check to the membership database for verification.

In addition to those required by legislation to obtain a Working With Children Check the following participants where aged 14yrs and over must have a Working With Children Check to participate in the sport of Swimming:

- Club and Region Committee Members
- Coaches
- Entertainment providers
- Event Volunteers
- Lifeguards & First-Aid Providers
- Media
- Multi-Class Carers
- Sports Science Staff
- Directors
- Staff
- State Committee Members
- SwimmingSA invited guests
- Team Managers
- Technical Officials (Unqualified, Volunteer or Qualified)

WORKING WITH CHILDREN CHECKS – APPLICATION PROCESS

All SwimmingSA members undertaking the above volunteer roles are entitled to free Working With Children Check when applying through SwimmingSA.

[Click Here](#) to apply.

The Screening Unit processes most applications within three weeks but it is recommended that organisations allow up to six weeks for screening to be completed.

When submitting an application, it's important that all information is correct and relevant, such as all names, nicknames and previous addresses, to help the process run smoothly. Incorrect or incomplete information can slow the process down, as the Screening Unit may need to return the application to the volunteer and ask them to correct and resubmit it.

APPENDIX 3

https://www.orsr.sa.gov.au/sport_and_recreation/child_safety_and_member_protection/create_a_child_safe_environment

Office for Recreation, Sport and Racing

Keeping children safe in recreation and sport

Creating safe environments is everyone's responsibility



playbytherules.net.au



Government of South Australia
Office for Recreation, Sport and Racing