



State Swim Swimming Schools
Child Safe Policy

1. Purpose

This policy was written to demonstrate the strong commitment of State Swim Swimming Schools to child safety and establishing and maintaining child safe and child friendly environments.

2. Context

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 1993*, 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. (Section 8A, *Children's Protection Act 1993*).

3. Scope

This policy, from the date of endorsement, applies to all people employed in the organisation, including:

- employees (permanent and casual)
- work experience students

4. Commitment to child safety

All children who come to a State Swim Swimming School have a right to feel and be safe. We are committed to the safety and well-being of all children and young people accessing our services and the welfare of the children in our care will always be our first priority. We aim to create a child safe and child friendly environment where all children are valued and feel safe.

5. Children's participation

State Swim Swimming Schools encourages and respects the views of children and young people who access our services. We listen to and act upon any concerns that children, young people or their families raise with us. We teach children what they can do if they feel unsafe.

We ensure that children, young people and their families know their rights and how to access the complaints procedures available to them.

We value diversity and do not tolerate any discriminatory practices.

6. Recruitment practices

State Swim Swimming Schools takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children. We employ a range of screening measures and apply best practice standards in the screening and recruitment of employees. We interview and conduct referee checks on all employees.

We conduct criminal history assessment for people working with children, as set out in Section 8B of the *Children's Protection Act 1993*. Criminal history assessments are required for anyone within our organisation that:

- has regular contact with children and is not directly supervised at all times;
- works in close proximity to children on a regular basis and is not directly supervised at all times; or
- supervises or manages persons who:
 - have regular contact with children or
 - work in close proximity to children on a regular basis; or
- has access to sensitive records relating to children or young people.

We ensure that criminal history information is dealt with 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, issued pursuant to Section 8A, *Children's Protection Act 1993*.

7. Code of Conduct

All members are made aware of, and must abide by, our Code of Conduct.

8. Support for employees

State Swim Swimming Schools seeks to attract and retain the best employees. We provide support and supervision so people feel valued, respected and fairly treated. We ensure that employees who work with children have ongoing supervision, support and training so that their capacity is developed and enhanced to promote the establishment and maintenance of a child safe environment.

Strategies we have implemented include:

- All new employees undergo induction and receive a copy of our child safe policy and code of conduct.

9. Reporting and responding to suspected child abuse and neglect

Information about making appropriate reports of abuse or neglect is available from the Families SA website

<http://www.families.sa.gov.au/childsafe>

State Swim Swimming Schools will not tolerate incidents of child abuse.

All employees understand their obligation to notify the Child Abuse Report Line on **13 14 78** as soon as practicable if they have a reasonable suspicion that a child has been, or is being, abused or neglected.

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

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

We ensure that support is also available for the employee making the report, particularly where an ongoing service is provided to the child, young person and their family.

Supporting children, young people and their families

Child Protection is everyone's responsibility. State Swim Swimming Schools recognises that even where a report is made, we may still have a role in supporting the child or young person.

Dealing with reports or concerns relating to the actions of an employee of our organisation

In addition to making a report to the Child Abuse Report Line, employees must also report to management if reasonable suspicion is formed that a child has been, or is being, abused or neglected by another member or employee.

In response to any report to management concerning a member or employee of this organisation, management may determine to take disciplinary action.

Other protective actions may also be introduced to ensure the safety of children and young people within our organisation.

10. Strategies to minimise risk

Policies and procedures may address (but are not limited to):

- Taking images of children
- Supervision of children
- Complaints procedures
- Physical contact
- Responsibilities
- Procedure for breaches of policy
- Training\cyber safe 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.

Evaluation of these strategies and the development of additional strategies to minimise and control risks to children and young people occur as part of our ongoing risk management process.

11. Harassment/bullying

State Swim Swimming Schools opposes all forms of harassment, discrimination and bullying. We 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 management.

12. Communication

State Swim Swimming Schools will ensure that everyone to whom this policy applies is aware of and has had an opportunity to read the policy.

We also ask employees to sign a written statement indicating that they have read and will abide by our child-safe policy. We retain a copy of all signed statements.

APPENDIX 1

Conducting criminal history assessments

Assessments required for prescribed positions

All employees of State Swim Swimming Schools who occupy a prescribed position (as set out under Section 8B (8) of the *Children's Protection Act 1993*) are required to undergo a criminal history assessment once every three years.

Criminal history assessments are also required prior to the appointment of new employees to prescribed positions.

Exemptions from this requirement may apply in some circumstances (see below). However, State Swim Swimming Schools retains the discretion to decide on a case-by-case basis whether any relevant exemptions will be exercised.

This requirement applies to all employees who regularly work with or around children in an unsupervised capacity or have access to prescribed records relating to children.

Procedure for conducting criminal history assessments

A satisfactory criminal history assessment is a precondition of working in a prescribed position at State Swim Swimming Schools.

Prior to the appointment of a new employee and then at three yearly intervals, this organisation will direct the employee/volunteer to obtain a National Police Certificate (NPC) from South Australia Police. The cost of obtaining a NPC will be met by the employee.

South Australia Police require the explicit written consent of the applicant prior to the release of criminal history information..

Where a person has no disclosable criminal history, the assessment is successfully completed and no further action in respect to an assessment is required.

Where an individual does have a criminal history, State Swim Swimming Schools assesses this information in accordance with Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Each assessment is conducted on its individual merits and with consideration to the inherent requirements of the position. Principles of procedural fairness and natural justice are applied throughout the decision-making process and the individual is provided an opportunity to confirm or dispute the information contained within the report and to provide contextual information for consideration during the assessment process.

The National Police Certificate will not be retained once a decision has been made regarding the person's suitability to work with children. The National Police Certificate will not be retained beyond three months in any circumstances.

In accordance with its legal requirements, State Swim Swimming Schools will retain the following information regarding its decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

State Swim Swimming Schools may obtain a further criminal history assessment for an employee at any time that State Swim Swimming Schools believes it necessary or desirable for the purpose of maintaining a child safe environment.

Exemptions

The following organisations, persons and positions are exempt from the application of Section 8B of the Act:

- (a) an organisation that provides equipment, food or venues for children's parties or events and does not provide any other services;
- (b) a person who undertakes work on a voluntary basis to provide a service in his or her capacity as a parent or guardian of a child who is ordinarily provided with the service;
- (c) a person who undertakes work on a voluntary basis to provide a service and who is under 18 years of age;
- (d) a person who undertakes work in the course of, or for the purposes of, an event or activity that takes place over a period of not more than 10 consecutive days or not more than 1 day in any month;
- (e) a person appointed as a police officer;
- (f) a person who is a registered teacher (within the meaning of the *Teachers Registration and Standards Act 2004*);
- (g) a person who undertakes, or a position that only involves, work that is not for the exclusive benefit of children and is not provided to any child on an individual basis;
- (h) a position that only involves prescribed functions because children are employed or engaged to work as volunteers by the person occupying the position or by that person's employer;
- (i) a position in which all work involving children is undertaken in the presence of the children's parents or guardians and in which there is ordinarily no physical contact with the children.

Child Protection guidelines for employees of State Swim Swimming Schools

Caring for children and young people brings additional responsibilities for employees of this organisation.

All employees of this organisation are responsible for promoting the safety and well-being of children and young people by:

- Ensuring the safety and welfare of the child or young person is paramount at all times.
- Treating all children and young people with dignity, equality and respect.
- Adhering to this organisation's child safe policy at all times.
- Listening and responding appropriately to the views and concerns of children and young people within the organisation.
- Taking all reasonable steps to ensure the safety and protection of children and young people within the organisation.
- Ensuring children and young people understand their rights and explaining to the child in age-appropriate language what they can expect when participating in a service, activity or program offered by the organisation.
- Responding quickly, fairly and transparently to any serious complaints made by a child, young person or their parent/guardian.
- Notifying the **Child Abuse Report Line on 13 14 78** as soon as practicable if they have a reasonable suspicion that a child or young person has been or is being abused or neglected.

Employees will not:

- Take part in any unnecessary physical contact with a child or young person.
- Discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability or sexuality.
- Develop any 'special' relationships with children or young people outside of the professional relationship.