



Reporting child abuse and establishing Child Safe Environments

South Australia

Legislation

Who is required to report child abuse?

In South Australia certain people are required by law to make a report if they suspect on reasonable grounds that a child or young person (any person aged under 18 years) is being abused or neglected and this suspicion is formed in the course of their paid or voluntary work.

Any person who is an employee of, or volunteer in, a government or non-Government organisation that provides **sporting or recreational, services wholly or partly for children**, being a person who:

- (a) is engaged in the actual delivery of those services to children; or
- (b) 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;

are mandated notifiers.

The organisation which engages you has an obligation to make all volunteers and employees aware of this responsibility under the *Children's Protection Act 1993 (SA)*

It is **not** compulsory for all staff and volunteers in recreation and sport organisations to attend formal Child Safe Environments (mandated notifier) training.

It **is** recommended that recreation and sport clubs and recreation centres instead have a 'Child Safe Officer' who is trained and is able to pass on information to others. For information in Child Safe Officer courses go to the Office for Recreation and Sport website at: www.ors.sa.gov.au/upcoming_courses_and_events

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It is recommended that all persons in recreation and sport organisations who are mandated notifiers undertake the FREE online training in child protection and harassment and discrimination provided by *Play by the Rules* at www.playbytherules.net.au

What are reporting responsibilities?

As a mandated notifier you must make a report if you have any reasonable suspicion of neglect and/or abuse and you need to make that report without delay.

As a mandatory reporter you need to be aware that:

- it is **your personal responsibility**/obligation to report suspected child abuse and neglect – it is not the responsibility of your manager or employer.
- you **do not** have to **prove** that abuse has occurred.
- your notification needs to be accompanied by a statement of the observations, information and opinions on which your suspicions are based.
- you are immune from civil liability for reporting your suspicions in **good faith**.

Are there penalties involved for failing to report?

Yes. - There may be a penalty for failing to meet the mandated notifier obligations.

Can anyone stop me from making a report?

No - A person must not threaten or intimidate, or cause damage, loss or disadvantage to, a person to whom this obligation applies because the person has discharged, or proposes to discharge, his or her duty.

Are there any exemptions?

No – There are no exemptions from this obligation, even for sporting teams, coaches, and officials visiting from other states or territories.

Action

How do I make a report?

If you believe a child is in immediate danger or in a life-threatening situation, contact the Police immediately by dialling **000**.

To make a report of suspected child abuse or neglect, call the 24-hour Child Abuse Report Line on **13 14 78**.

Does my obligation end once I have made a report?

No - A person does not necessarily exhaust his or her duty of care to a child by giving a notification under this section.

You may also have an obligation under your organisations Child Safe or Member Protection Policy to make an internal to the organisation report.

Child-safe environments

All organisations providing services within South Australia, including national and state based sporting and recreation organisations, are required under the *Children's Protection Act 1993* to establish policies and procedures for ensuring that child-safe environments are established and maintained within their organisations.

Child-safe environment strategies are put in place to prevent and minimise opportunities for child abuse within your organisation including preventing offenders from gaining access to your organisation. They include ensuring your staff and volunteers understand their child protection obligations and that staff and volunteers know who to go to should they have suspicions a child may be at risk of harm.

Organisations working to create child-safe environments and strengthen their environment are committed to and understand the importance of children's safety.

Who is required under legislation to implement child safe environments?

Organisations within South Australia providing sporting and recreation services wholly or partly for children, are required under the *Children's Protection Act 1993* to establish policies and procedures for ensuring that:

- reports of suspected abuse and neglect are made by mandated notifiers
- child safe environments are established and maintained within the organisation.

This requirement also applies to organisations that are based interstate and provide services in South Australia, for example national sporting championships.

What does establishing a child-safe environment involve?

1 Identify and analyse risk of harm

The organisation develops and implements a risk management strategy. 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.

2 Develop codes of conduct for adults and children

The organisation has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation also has codes of conduct to address appropriate behaviour between children. These codes set out professional boundaries, ethical behaviour and unacceptable behaviour.

3 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. This is more likely to be achieved using a range of screening measures. All paid or volunteer persons holding a 'prescribed position' are required to complete a 'relevant history assessment', which must include a criminal history check, to be conducted by the

organisation or they may apply to the DCSI Screening Unit for a full criminal history screening unless an exemption applies.

Organisations should aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children. If a criminal history report is obtained the organisation must ensure that the criminal history information is dealt with in accordance with the Standards developed by the Chief Executive of the Department for Education and Child Development.¹

4 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 to ensure they understand and can promote the establishment and maintenance of a child safe environment.

5 Empower and promote the participation of children in decision-making and service development

The organisation engages children and young people in developing and maintaining child safe environments.

6 Report and respond appropriately to suspected abuse and neglect

The organisation ensures that volunteers and employees are able to identify and respond to children at risk of harm. They understand that certain roles are mandated to report concerns to the child abuse report line 13 14 78 but encourage a moral obligation for all to protect children.

Appropriately manage allegations of child abuse and neglect

Guidelines for *Managing allegations of child abuse in recreation and sport* are available at

www.ors.sa.gov.au/data/assets/pdf_file/0006/153564/child_abuse_allegations_guidelines_050115.pdf

Further information for recreation and sport organisations is available from www.ors.sa.gov.au/create_a_child_safe_environment or www.families.sa.gov.au/childsafe.

What if my organisation is very small?

Under section 8C of the *Children's Protection Act 1993*, it is acknowledged that policies and procedures of organisations may vary according to the size, nature and resources of that organisation.

The Office for Recreation and Sport assists by developing documents and resources specifically to aid smaller organisations.

¹ Child Safe Environments: *Standards for dealing with a person's criminal history as part of a relevant history assessment*, issued by the Chief Executive of the Department for Education and Child Development Government of South Australia, 2014.

Resources

Click on these links for further information or resources on reporting?

- [South Australian Department for Education and Child Development](#)
- [Office for Recreation and Sport](#)
 - [Managing allegation of Child Abuse in recreation and sport](#)
 - [Keeping children safe in recreation and sport](#)

These links provide information or resources on Child Safe Environments?

- Extensive information regarding Child Safe Environments in SA is available from www.families.sa.gov.au/childsafe

This includes:

- [Child Safe Environments: Principles of Good Practice](#)
- [Guidelines for Mandated Notifiers and Information for Organisations](#)
- [Information and obligations for organisations crossing State and territory borders](#)
- [Child Wise – 12 Standards for a Child Safe Organisation”](#)
- [Office for Recreation and Sport](#)