



## Advice on Child Protection Measures for Arts and Cultural Organisations

If your organisation provides services to children, it is important that you take steps to ensure their safety and wellbeing.

### Your Obligations

Organisations that provide services to children must take steps to help protect children in their care under recent changes to the Children's Protection Act 1993.

Under the changes, organisations which provide services to children must:

- **Conduct criminal history assessments** on employees, contractors and volunteers who are working with children
- **Lodge a Child Safe Environment Compliance Statement** with the Department for Communities and Social Inclusion (DCSI)

### Which organisations are affected?

The changes apply to **all government, non-government and local government organisations that provide the following services wholly or partly to children:**

- health
- education
- recreation or sport
- welfare
- religious or spiritual
- child care
- residential

Organisations that do not meet their legislative obligations may face a fine of up to \$10,000.

## Conducting Criminal History Assessments

A criminal history assessment is a decision about whether a person is suitable to work with children made on the basis of the person's criminal history (if any) and the assessed risk to children who access the services provided.

### How to Apply for an Assessment

Assessments can be requested either from the Police ([www.sapolice.sa.gov.au/sapol/services/information\\_requests/national\\_police\\_certificate.jsp](http://www.sapolice.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp)) or the Department for Communities and Social Inclusion's Screening Unit ([www.dfc.sa.gov.au/pub/screening](http://www.dfc.sa.gov.au/pub/screening)).

The Screening Unit offers a more fulsome criminal history assessment for around the same price as SAPol (around \$35-55).



The Government is meeting the cost of obtaining criminal history reports for some volunteers who work with children through the Volunteer Organisation Authorisation Number (VOAN) system ([www.ofv.sa.gov.au/](http://www.ofv.sa.gov.au/)).

### When do organisations need to comply?

By **30 June 2012** organisations providing services to children must have ensured that all new and existing **employees** who will be working with children undertake criminal history assessments.

Other employees will need to comply on a staged basis until **30 June 2013**, when all organisations providing services to children must ensure that new and existing **employees and volunteers** working with children aged 17 years or less have undertaken criminal history checks.

See the [DCSI website](#) for more details.

### Who is exempt?

The following organisations, persons and positions are exempt from the requirement to conduct a criminal history assessment:

- A person volunteering for a service or activity in which their child ordinarily participates
- A person who volunteers who is less than 18 years of age
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month
- A person occupying a position in which all work involving children is undertaken in the physical presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children
- A person who undertakes, or a position that only involves, work that is primarily provided to adults or is provided to the public generally and is not provided to any child on an individual basis
- An organisation that provides equipment, food or venues for children's parties or events but does not provide any other services for children
- A person who has regular contact with a child as part of an employment relationship with the child (for example, a person working alongside a child or supervising an employee who is a child)
- A person who is appointed as a police officer or is a registered teacher. (Police officers and teachers are already subject to 3 of 6 comprehensive criminal history assessments as a prerequisite for employment).

## Creating child safe environments

Organisations providing health, education, welfare, sporting and recreational, child care, or residential services wholly or partly for children must ensure that they have a child safe environments policy in place. They must also lodge a Child Safe Environment Compliance statement.

The statement will identify how the organisation is committed to protecting children from physical, sexual, emotional and psychological harm and from neglect. This commitment should be embedded in the organisation's culture, reflected in the policies and procedures of the organisation and understood and practiced at all levels of the organisation.



An organisation can do this by

- reviewing how well it protects children
- having a child safe policy in place
- taking steps to ensure that staff and volunteers are safe people to work with children
- listening to children and respecting their rights
- making sure that everyone knows how to report concerns about child safety

### **Establishing child safe environment policies and procedures**

Child safe environment policies and procedures should be established by the managing authority of your organisation and communicated to all relevant personnel (such as members, agents, employees, contractors and sub-contractors) and volunteers who work with or have contact with children.

Child Safe Environments policies and practices will vary according to the size, nature and resources of an organisation but must reflect the standards and principles developed by DCSI in [Child Safe Environments Principles of Good Practice](#).

For information about establishing child safe policies and procedures see [Developing a Child Safe Policy](#).

Source: Department for Communities and Social Inclusion, 2010  
([www.dcsi.sa.gov.au](http://www.dcsi.sa.gov.au))