

# Child Safe Environments Compliance Statement

## Fact Sheet 3

### What organisations need to do

The *Children's Protection Act 1993* requires that organisations:

- develop policies and procedures to establish and maintain child safe environments
- meet 'relevant history information' requirements for people working with or in close proximity to children or their records in prescribed positions
- lodge a statement setting out their child safe environment policies and procedures.

The statement should confirm that their child safe environment policies and procedures are of a standard set by DECD.

### Types of organisations

These requirements apply to government organisations and non-government organisations that provide the following services wholly or partly for children:

- health
- welfare
- education
- sporting or recreation
- religious or spiritual
- cultural
- entertainment or party
- child care or
- residential.

An organisation may consist of a single person (ie a sole trader) or a partnership.

### Compliance statements

Compliance statements contribute to a consistent approach to child safety and wellbeing from organisations across South Australia.

This a good opportunity for organisations to review their child safe environment policies and procedures. It also helps to ensure that these policies are current and well understood by everyone in the organisation.

Compliance statements also enable DECD to maintain a register of organisations that have established child safe environment policies and procedures.

The register helps DECD to monitor the progress of organisations towards implementing child safe environments, and to identify areas where further information and support may be required.

### When to comply

Organisations that have not lodged a statement, or have lodged a statement that is 'in progress' should lodge their statement as a matter of priority.

Newly formed organisations, and existing organisations that have not previously provided services for children, must lodge a compliance statement within 10 days of putting their policies and procedures in place.

### How to lodge a statement

Organisations must provide information to confirm that their child safe environment policies and procedures are of a standard set by DECD.



Complete lodgement forms online at <https://www.decd.sa.gov.au/child-protection/child-safe-environments>

For printed copies phone 8463 6468 or email [DECDChildSafe@sa.gov.au](mailto:DECDChildSafe@sa.gov.au)

You do not need to use the DECD form – the legislation says that your organisation must:

- put in place child safe environment policies and procedures that comply with the standards and principles published by DECD, and
- lodge a statement setting out your policies and procedures.

The lodgement form is a simple and helpful way for you to satisfy this requirement. However, your organisation may choose to lodge a statement in a different format. In this situation, your statement must show that your organisation complies with the standards and principles published by DECD.

## Who needs to lodge a statement

Individual organisations (including sole traders) can lodge their own compliance statement or a representative body or agent may lodge a compliance statement on their behalf.

Make sure that you use the lodgement form relevant to your organisation's specific circumstances.

The organisation or responsible authority should nominate an appropriate officer (such as a public officer or child safety officer) to lodge the compliance statement.

## If an organisation does not meet the requirements

If an organisation's child safe environment policies and procedures do not meet the standard set by DECD, the organisation must still lodge a compliance statement that clearly shows

its progress towards establishing a safe environment for children.

The organisation should lodge a further statement once all requirements are met.

## Lodgement frequency

If your organisation can demonstrate that its child safe environment policies and procedures are of a standard set by DECD, this is a once-off requirement.

If your organisation is still working towards meeting these requirements, you must lodge a further statement after all requirements are in place.

## Next steps

Keep a copy of the compliance statement(s) for your records. Wherever possible, the compliance statement should be tabled at your annual general meeting or other appropriate forum.

You may be requested to provide evidence of your organisation's statement if you are seeking funding or entering into contractual arrangements with government organisations.

Be aware that DECD's chief executive may seek further information from an organisation about its child safe environment policies and procedures at any time. Organisations must respond to such a written request within 10 business days.

## Costs – free

There is no charge associated with the lodgement of a compliance statement.

## CSE can be integrated into other policies or practices

Many organisations have some or all of their child safe environment requirements written into their policies and practices. In this case an

organisation does not need to re-write or reproduce these requirements. Your organisation just needs to show that it has established a policy framework that is of a standard set by DECD.

## **Consequences of non-compliance**

A penalty of up to \$5000 may apply if your organisation does not lodge a statement.

## **Umbrella organisations**

Where a representative body lodges a statement on behalf of member organisations, it must satisfy itself that the organisations it represents have appropriate policies and procedures in place to establish and maintain child safe environments.

An organisation can do this in a number of ways. For example, it may include child safe environment requirements as a condition of membership, or it may require member organisations to complete a statement that they have developed policies and procedures for a child safe environment.

Umbrella organisations may wish to provide guidance and assistance for members on specific issues that must be addressed in their child safe environment policies and procedures.

## **Go to for help**

Further information about establishing and maintaining child safe environments, including guidelines, templates and other useful resources, is available from the child safe website:

Website: <https://www.decd.sa.gov.au/child-protection/child-safe-environments>

If you can't find what you need online, contact DECD:

Email: [DECDChildSafe@sa.gov.au](mailto:DECDChildSafe@sa.gov.au)

Phone: 8463 6468

