

POLICIES AND PROCEDURES		
(CSE1/12)	CHILD SAFE ENVIRONMENTS PROCEDURES	
GIRL GUIDES SOUTH AUSTRALIA		

i. Document Management

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1. Definitions and Abbreviations

- 1.1. Refer to the Girl Guides South Australia Definitions of Terms for standard Girl Guides South Australia terminology.

2. Procedures

2.1. Abuse of a child

Child abuse is illegal in all Australian States and Territories. Girl Guides South Australia requires that anyone who reasonably suspects that a child has been or is being abused, to immediately report it to the Child Abuse Report Hotline on 13 14 78.

Child abuse relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It may take many forms; children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Descriptions of activities that may be considered abusive are as follows:

- Physical abuse by hurting a child or a child’s development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; giving bad nutritional advice; or training that exceeds the child’s development or maturity). This may include for example, a volunteer hitting or pinching a Guide, in a Guiding setting, as a response to being hit or pinched, in the first instance by a Guide who displays inappropriate behaviour.
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child). This may include, for example, using disability labels in a derogatory way to belittle children.
- Neglect (e.g. failing to give food, water, shelter or clothing to protect a child from danger or foreseeable risk of harm or injury).

2.2. Criminal History Assessments

All staff, members and volunteers identified in the Child Safe Environments Policy (CSE 1/12) are required to have undergone a Criminal History Assessment prior to commencing work with the organisation and at three yearly intervals after that (unless requested at other times by the State Commissioner or State Manager).

- 2.2.1. The following documentation is valid for a criminal history assessment.
- National Police Certificates issued in South Australia
 - Letters of clearance from a CrimTrac accredited agency or a screening unit prescribed pursuant to the Children’s Protection Act 1993 such as a valid registration document from the South Australian Teachers Registration Board etc
 - Interstate clearances for WA, VIC or QLD.
 - Working with Children checks for NSW for those staff, members or volunteers working in the Broken Hill region.
 - Statutory declarations for individuals who have been citizens or permanent residents of a country other than Australia since turning 18 years of age. The declaration should include statements indicating they have never been convicted of:
 - murder or sexual assault;
 - possessing, distributing or publishing child pornography,
 - an offence against children, or
 - sentenced to imprisonment for any other form of assault.
- 2.2.2. Criminal history documentation is obtained by the individual concerned and forwarded to Guide House staff via email to manager@girlguidessa.org.au or post to Guide House and marked ‘Confidential’.
- 2.2.3. Requests by individuals for National Police Certificates should be submitted via Guide House staff, who will provide the VOAN information before submitting to SAPOL. Once received by the individual, National Police Certificates (or copies thereof) must be submitted to Guide House staff as noted under clause 2.2.2.

- 2.2.4. Criminal history assessments must be carried out by the State Manager or the State Commissioner.
- 2.2.5. The State Manager or State Commissioner will verify the following, if appropriate, prior to accepting evidence for a criminal history assessment:
- ensure that the evidence is valid and current (i.e. obtained no more than 3 years previously) and seek written confirmation of this fact where practicable,
 - confirm the compatibility between the position for which the person's criminal history has previously been assessed and the current position, and
 - confirm the identity of the individual.
- 2.2.6. Form **CSE 1/12 – 1** should be completed when conducting the criminal history assessment.
- 2.2.7. Where criminal history assessments detect no areas of concern, the individual should be advised that they are able to commence/continue their work within the organisation.
- 2.2.8. Where criminal assessments detect an area of concern, the State Manager or State Commissioner will use the following criteria to decide whether an individual is able to work within the organisation:
- Whether a criminal history is detected, in particular:
 - Sexually-motivated offences
 - Violence offences/assault including:
 - Any form of assault which has resulted in a sentence of imprisonment
 - Offences relating to cruelty to animals
 - Any other offences against a child (including drug offences)
 - A risk assessment of the situation,
 - Whether a prima-facie risk of harm is detected, such as the following offences:
 - murder or sexual assault
 - violence in relation to a child
 - an offence relating to child pornography
 - an offence involving child prostitution
 - a child abuse offence, for example criminal neglect
- 2.2.9. Where criminal history assessments detect an area of concern, the individual should be advised of the status of their assessment and be provided:
- the opportunity to confirm their identity, the accuracy of any criminal history report (or alternatively the right to dispute the contents of a criminal history report),
 - the opportunity to provide any other information or references, which may include details of the conviction or offence, the circumstances surrounding the offence and other information and references, and for that information to be considered before the assessment is completed.
- 2.2.10. In addition, individuals should be:

- assured that any information provided by them will be considered,
 - informed of any proposed decision to be made about them,
 - provided with the rationale for the proposed decision, and
 - given the right to have a full criminal history assessment decision reviewed by an independent body.
- 2.2.11. If required, the State Manager or State Commissioner are able to seek advice or guidance from the Board prior to making a decision on a criminal history assessment. Any referral to the Board will be dealt with under confidential conditions.
- 2.2.12. Current employees who are deemed ineligible to work with children, based on their criminal history, have a right of reply unless statutory exemptions specify otherwise.
- 2.2.13. In all cases, the State Manager or State Commissioner must act fairly and impartially.
- 2.2.14. Upon receipt of appropriate documentation, criminal history assessments will be undertaken as quickly as possible, however where a criminal history of concern is identified, the process may take several weeks.
- 2.2.15. Where appropriate, the members database must be updated with the following information:
National Police Certificate reference number (or other acceptable evidence)
- Date of certificate or other evidence
 - Date for renewal
- 2.2.16. Where a criminal history assessment is being undertaken on a third party or contractor, details should be logged on the Third Party Criminal History Assessment Register (see Appendix 1)
- 2.2.17. Once a criminal history assessment has been conducted, the results advised to the individual concerned and, if appropriate, any appeals heard, records (namely the supporting documentation) must be destroyed. The Form **CSE 1/12 – 1** may be retained.

2.3. **Mandatory Reporting**

- 2.3.1. All staff, members and volunteers who work with children are mandated notifiers, under the Children’s Protection Act 1993 as amended, and have a legal obligation to report any suspected child abuse and/or neglect.

The law protects any person making a Child Abuse report based on reasonable grounds from receiving threats, intimidation or unreasonable treatment.

- 2.3.2. In order to ensure that staff, members and volunteers are able to identify child abuse and/or neglect as well as know how to make a report, Child Safe Environments training, which are accredited by Families SA, will be run by Girl Guides South Australia on a regular basis.

2.3.3. All those affected by this policy should attend a Girl Guides South Australia training (2 hour information session), or equivalent course provided by an accredited training provider, within 6-12 months of commencing their work with Girl Guides South Australia.

2.3.4. Proof of attendance at a session should be provided to the Training Manager for recording on the member database.

2.3.5. A written request for an individual to attend a session may be made by the State Manager or State Commissioner at any time.

2.4. **Allegations of abuse against Girl Guides South Australia staff, members or volunteers**

2.4.1. Allegations of child abuse will be dealt with in the following way:

3. Associated Policies

3.1. These procedures support the Child Safe Environments Policy

Appendix 1: Third Party Criminal History Assessment Register

Third Party Criminal History Assessment Register		
(CSE1/12)	CHILD SAFE ENVIRONMENTS	
GIRL GUIDES SOUTH AUSTRALIA		

Name	Position	Police Certificate Reference Number (or other acceptable evidence)	Date of certificate or other evidence ¹	Date for renewal ²

¹ This date refers to the day that the police certificate or other evidence was received and not the day the assessment was completed.

² The data of renewal is a maximum of three years from the day the police certificate or other evidence was issued.

Criminal History Assessment Form		
(CSE1/12)	CHILD SAFE ENVIRONMENTS	
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Name of person	
Description of position that the person occupies or will occupy	
<p>The person provided, or consented to providing, acceptable evidence relating to their criminal history</p> <p><i>For example, an original or certificate copy report of his/her police certificate, a letter of clearance or an interstate working with children clearance.)</i></p> <p>See Standards 1 – 4</p>	<p>Yes – Record type of evidence accepted (e.g. police certificate, letter of clearance, interstate clearance)</p> <p>No – A person who does not provide evidence, or consent to evidence being obtained, is precluded from engagement to work with children in a prescribed position.</p>
Date evidence requested	
Date evidence received	
The police certificate or other evidence disclosed no convictions	<i>The assessment is successfully completed and no further action in respect to an assessment is required.</i>
The police certificate or other evidence disclosed a conviction requiring further assessment	

Appendix 2: Criminal History Assessment Form

The police certificate or other evidence disclosed convictions that indicate a prima-facie risk of harm	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>
The police certificate or other evidence disclosed convictions that potentially indicate a unsuitability to undertake prescribed functions See Standards 5 and 6	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>

Name of Assessor(s): _____

Position/Title: _____

Signature: _____

Date: _____