



# Child safe environments

## Compliance statements

Compliance statements contribute to a consistent approach to child safety and well-being from organisations that provide services to children and young people across South Australia.

### Organisation obligations

The [Children and Young People \(Safety\) Act 2017](#) and the [Child Safety \(Prohibited Persons\) Act 2016](#) require that organisations:

- develop policies and procedures to ensure child safe environments
- meet working with children check requirements for people working with or undertaking child-related work.
- lodge a Child safe environments compliance statement setting out their child safe environment policies and procedures in line with the Principles of Good Practice.

### Types of organisations

All persons or bodies who provide a service or undertake an activity that constitutes child-related work under the *Child Safety (Prohibited Persons) Act 2016*, must meet these obligations.

This includes organisations providing:

- accommodation and residential services for children
- services or activities provided by religious organisations (which includes organisations providing spiritual or pastoral services)
- childcare or child-minding services
- child protection services
- services or activities provided in the course of the operation of clubs and associations with a significant membership of, or involvement by, children who provide services or activities of a sporting, recreational, cultural or artistic nature
- coaching or tuition services for children

- commercial services provided directly to children, including:
  - the sale or supply of goods or services where physical contact with children would reasonably be expected to occur
  - recreational services where contact with children would be reasonably expected to occur (such as a play gym)
  - entertainment services provided at children parties or events (such as face painting or the hire of bouncy castles)
  - entertainment services where a person appearing or performing as a costumed character that is likely to appeal to children (such as a sports mascot or Santa Claus)
  - photography of children
  - competitions held primarily for children, or where there is a children's category (such as beauty pageants and talent shows)
- disability services for children
- education services for children (including preschool, primary and secondary education, but not tertiary education)
- health services for children (including allied health services)
- justice and detention services for children
- transport services for children
- other persons or bodies declared in the regulations which include:
  - non-government organisations that provide welfare or cultural services wholly or partly for children.

Organisation in this context includes sole traders and people working in partnerships.

These requirements also apply to State Authorities as defined in the *Children and Young People (Safety) Act 2017*.



## Lodging a statement

Newly formed organisations must, as soon as is reasonably practicable, after preparing or adopting policies and procedures, lodge a Child safe environments compliance statement.

Organisations can lodge their own compliance statement or a representative body may lodge a compliance statement on their behalf.

There are 3 different compliance statements depending on the type of organisation:

- single organisations
- sole traders or people working in partnerships
- representative bodies.

Lodging a compliance statement is free.

## Representative bodies

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

## Including policies and procedures

When lodging a compliance statement your organisation may be required to include copies of the child safe environments policies and procedures. Copies are required by the Chief Executive, Department of Human Services when your organisation:

- is lodging a compliance statement for the first time
- has increased the scope of services provided
- has had a substantial change to the responsible or managing authority or changed ownership since last lodging a statement
- undertaken a substantial review of its child safe environments policies or procedures
- is lodging a representative body statement.

## How to lodge a compliance statement

Child safe environments compliance statement can be lodged online. Visit <https://www.education.sa.gov.au/child-protection/child-safe-environments/lodging-child-safe-environment-compliance-statement> for instructions on how to lodge your organisation's compliance statement.

## Next steps

When an organisation lodges a compliance statement that advises they are not yet meeting the minimum requirements of providing safe environments for children and young people, the organisation will need to lodge a further statement once all requirements are in place.

This additional statement should be lodged no later than 6 months after the initial statement is lodged.

Where an organisation varies or substitutes a child safe environments policy or procedure, they will be required to re-lodge a compliance statement outlining the changes that have been made.

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

## Consequences of non-compliance

A penalty of up to \$10,000 may apply if your organisation does not lodge a compliance statement.

## 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 environments website: [www.education.sa.gov.au/child-protection/child-safe-environments](http://www.education.sa.gov.au/child-protection/child-safe-environments).

If you can't find what you need online, contact Child safe environments on:

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

Phone: 08 8463 6468