

Information for Sport and Recreation Clubs regarding changes to the Child Protection Act to be implemented from January 2011

The *Children's Protection Act 1993* requires sport and recreation organisations who provide services 'wholly or partly' for children in South Australia to establish policies and procedures to safeguard and protect children. Recent changes to the *Children's Protection Act 1993* extend the steps organisations must take to help protect the children in their care.

This is a brief outline of the current changes and clubs will need to familiarise themselves with the relevant Information sheets from the Department of Families and Communities as listed on the back of the document.

Child Safe Environment Compliance Statement

From January 2011, organisations will be required to:

- **Lodge a Child Safe Environment Compliance Statement with the Department for Families and Communities.**

This is a **once** only requirement that existing recreation and sport organisations should complete by 28 February 2011 and new organisations as soon as possible after they are formed. Where an organisation finds they do not have a policy that is fully compliant they should still lodge a statement showing that the work is in progress, and lodge a second statement when it is completed.

A 'representative body' such as a state sport or recreation organisation may lodge a single compliance statement on behalf of their affiliated associations and clubs therefore it is advisable that clubs check with their relevant state organisation prior to lodging a statement.

Lodging a statement can be completed on-line <http://www.dfc.sa.gov.au/pub/Default.aspx?tabid=929> or by forwarding the relevant documentation to the Department for Families and Communities.

Police Checks/Criminal History Assessments

From January 2011 the existing requirement for recreation and sport organisations to assess all paid and voluntary positions and to 'prescribe' which positions require a *suitability for working with children screening check* will change. Previously undertaking a police check as a part of the screening process was not mandated.

All paid or volunteer persons holding a 'prescribed position'* **will now be required to undertake a 'criminal history assessment'**, to be conducted by the organisation, before they are engaged or appointed, which must include a police check unless an exemption applies.

This requirement is being phased in over a three year period.

For organisations providing sport or recreational services wholly or partly for children this requirement will commence in year two, that is commencing 1 January 2012, and needs to be fully implemented as follows:



- All new and existing employees assessed by 30 June 2012
- All new and existing volunteers working with children 7 and under assessed by 31 December 2012
- All new and existing volunteers working with children 12 and under assessed by 30 June 2013
- All new and existing volunteers working with children Under 18 assessed by 31 December 2013

Organisation must determine if this requirement applies to them and if the exemptions** apply to any positions or persons. Criminal history assessments must be conducted in accordance with the guidelines set out by the Chief Executive for the Department for Families and Communities.

Information Sheets

The following information sheets may be accessed through the DFC website <http://www.dfc.sa.gov.au/pub/Default.aspx?tabid=927>

- [Information Sheet 1 – Child Safe Environments](#)
- [Information Sheet 3 – Child Safe Environment Compliance Statement](#)
- [Information Sheet 5 – Additional information for the sport and recreation sector](#)
- [Information sheet 10 - Phasing-in schedule](#)
- [Child Safe Environments: Standards for dealing with information obtained about the criminal history of people working with children](#)
- [Managing criminal history information of people working with children](#)

For further Information

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*“Prescribed” Position –

- All people who have regular contact with children or regularly work in close proximity to children and are not directly supervised
- Manage or supervise such personnel
- Have access to records relating to children that are prescribed by regulation(child protection services, education services, health services, disability services, court orders and proceedings)

**Exemptions

- A person volunteering in their children’s activities
- 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 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 not for the exclusive benefit of children 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
- A person who has regular contact with a child as part of an employment relationship (for example, a person working alongside a child or supervising an employee who is a child)
- A person who is a police officer or a registered teacher

