Child Protection, Police Checks and Mandatory Reporting

Do Schools need to comply?

Yes, under South Australian Legislation, schools and individual teachers have a responsibility in the prevention and reporting of child abuse and neglect and schools are required to establish and maintain child safe environments.

Conditions of compliance:

Under the *Children’s Protection Act 1993 (SA)*, schools have detailed legal responsibilities with respect to child protection. These include ensuring that child safe environments are established and maintained within the school and that instances of child abuse are reported to the relevant authorities.

If you have to comply, what do you have to do?

1. **Policies and Procedures:**

   Under the *Children’s Protection Act 1993 (SA)*, all Independent Schools are required to develop appropriate policies and procedures to establish child safe environments. These policies and procedures must reflect the standards and principles of good practice developed by the Chief Executive of the relevant government department that are contained in *Child Safe Environments: Principles of Good Practice* published by Families SA (see link below).

   Schools must lodge a statement outlining their child safe environment policies and procedures with Families SA. It can be done on-line by answering questions relating to the minimum requirements. Further information and the on-line statement can be accessed at [Lodging a Child Safe Environments Compliance Statement](#) (please note link doesn’t work – needs to be updated).

2. **Criminal History Checks:**

   Under the *Children’s Protection Act 1993 (SA)*, all Non-Government Schools in South Australia are required to conduct Criminal History Checks on all persons who are in regular contact with children or who work in close proximity to children on a regular basis, or who supervise such persons, or who have access to children’s records. Such persons do not actually have to be employees of a school but may be volunteers (Entrusted Person Volunteers) or contractors.

   Entrusted Person Volunteers include persons engaged in the following:
   - Any overnight camps/school sleep-overs/billeting
   - Working one to one with other people’s children
   - Acting as a coach or manager of teams or groups of children or young people
   - Working in resource centres, offices, managing canteens etc.
   - Accepting a position on governing/school councils, boards or committees.

   Criminal History checks must be carried out on each person at least every three years and must be managed in accordance with the principles and procedures contained in “Child Safe
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Environments: Dealing with information obtained about the criminal history of employees and volunteers who work with children” published by Families SA.

3. **Mandatory Reporting:**

Under the Children’s Protection Act 1993 (SA) a teacher or any person who is an employee of or a volunteer in a school and who is engaged in the delivery of services to children or holds a management position the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and who suspects on reasonable grounds that a child has been or is being abused or neglected and the suspicion is formed in the course of the person’s work (whether paid or voluntary) is obliged to notify the Child Abuse Report Line of that suspicion as soon as practicable after the suspicion is formed.

**What are the consequences if you don’t comply?**

Both individuals and schools may be subject to prosecution for non-compliance and schools may put their registration at risk.

**See also:**

[Child Protection](http://www.ais.sa.edu.au/key-policy-areas/human-resource-management)

**Useful links:**

- [Children’s Protection Act 1993 (SA)]
- [Families SA]