

## Child Safe Environment Policy

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### 1. Purpose

The Art Gallery of South Australia (AGSA) provides education and public programs which are accessed by children and young people at the Gallery.

This policy describes AGSA's responsibilities and commitment to establishing and maintaining safe, child friendly environments where all children and young people are valued, feel safe and are encouraged to reach their full potential.

This includes outlining the requirement for reporting concerns or suspicions where it is believed that a child or young person is at immediate risk of danger or harm.

This policy also provides guidance on when a working with children check is required for employment at AGSA.

This policy complies and aligns with the:

- [Children and Young People \(Safety\) Act 2017](#), (Children and Young People Act)
- [Child Safety \(Prohibited Person\) Act 2016](#) (Child Safety Act)
- Australian Government's [National Principles for Child Safe Organisations](#) (National Principles)
- DPC Policies that relate to working with children and young people (See 8. Related Documents)

This policy also forms part of AGSA's compliance statement which is required by and lodged online with the [Department of Human Services \(DHS\)](#).

### 2. Scope

This policy applies to all AGSA 'workers' (see 3. Definitions), who work with children and young people across any program on AGSA premises to help them in understanding their specific responsibility in ensuring the safety of children and young people.

### 3. Definitions

Term	Definition
At risk	At risk is defined in detail under Section 18 of the Children and Young People Act and relates to the harm suffered or the likelihood of harm to occur to a child or young person.
CARL	Child Abuse Report Line (CARL) - Suspicions or concerns of serious risk of harm (serious harm, injury, chronic neglect, assault) can be reported to the CARL on 131 478, or online at <a href="#">Reporting suspected harm of children and young people   Department for Child Protection.</a>
Child or young person	Child or young person is defined under Section 16 of the Children and Young People Act as a person who is under 18 years of age.
Child-related work	<a href="#">Child-related work</a> includes commercial or educational services provided to children. For AGSA this includes: <ul style="list-style-type: none"> <li>• Providing educational programs and events (eg START, NEO).</li> <li>• Design, delivery or otherwise involvement of performances of children and young people in our venues.</li> <li>• Providing general supervision and orientation for services managed by tour groups or teachers (eg school visits, studio).</li> <li>• Photographing children as part of general visitation.</li> <li>• Supervision of students, interns, volunteers, artists or contractors under 18 years of age.</li> <li>• Delivering on general public programs offered at the Gallery.</li> </ul>
Harm	Harm is defined under Section 17 of the Children and Young People Act as physical or psychological harm (whether caused by an act or omission), including such harm caused by sexual, physical, mental or emotional abuse or neglect.
Institution	Institution is defined under Section 64 of the <a href="#">Criminal Law Consolidation Act 1935</a> as a private or public entity that operates facilities or provides services to children who are in the care, or under the supervision or control, of the institution. AGSA is considered an institution for the purposes of this policy.
Limited Confidentiality	When a legal requirement, such as mandatory reporting, overrides a child or young persons' right to confidentiality.
National Principles	Refers to the Australian Government's ten <a href="#">National Principles for Child Safe Organisations.</a>
Mandated Notifier/ Reporter	Workers in prescribed positions (See Section 30(3) of the Children and Young People Act) or staff who hold a

	<p>particular professional role or qualification (eg teachers, social workers, psychologists), are considered mandated notifiers/reporters and are required to consider submissions to the Department of the Premier and Cabinet (DPC), SA Police or CARL on examination of the circumstances around a potentially reportable incident.</p> <p>Workers who do not directly deliver services or programs to children are not legislated mandated notifiers/reporters, however they are morally obligated to consider acting on concerns or suspicions where they believe a child or young person is at immediate risk of danger or harm.</p> <p>See <a href="#">Department for Child Protections – Role of mandated reporters</a> for more information.</p>
Prescribed position	<p>A <a href="#">prescribed position</a> is where responsibilities for the provision of child related work are included in a role description. A prescribed position includes a position in which, during the ordinary course of their duties, it is reasonably foreseeable that a worker will undertake child related work.</p>
Working with Children Check	<p>A <a href="#">Working with Children Check (WWCC)</a> is an assessment of a person's ability to work safely with children based on any known incidents that indicate the person poses a risk of harm. An assessment is required for all persons 14 years and over according to the Children and Young People Act, as defined under the Child Safety Act, and is part of the <a href="#">DPC Employment Screening Policy</a> and AGSA volunteer management protocols.</p> <p>NEO Ambassadors are under constant supervision and therefore are exempt from this requirement.</p> <p>Board members acting in their capacity as members of the Art Gallery Board (and by default Board Committee members) are not prescribed positions and therefore are exempt from this requirement.</p> <p>A WWCC must be conducted every 5 years in accordance with Section 16 of the Child Safety Act.</p>
The Board	<p>The Art Gallery Board.</p>
Workers	<p>In the context of this policy, workers refers to employees engaging with or delivering programs for children or young people including Board members, executives and managers, front facing staff, all other employees, casual and volunteers staff. This term also includes any contractors engaged by AGSA who may engage with children or young people as part of their contract with AGSA including security officers, hospitality staff, building and facilities contractors and artists working on AGSA premises.</p>

## 4. Principles

This policy outlines AGSA's commitment to the safety of children and young people by defining its actions in relation to the National Principles. This policy complies with the Children and Young People Act and the Child Safety Act.

We value and respect children and young people and welcome them regardless of their abilities, gender, or social economic or cultural background. Unwanted or illegal behaviours, including disrespect, discrimination, gaslighting, bullying and any form of harassment will not be tolerated.

We commit to the safety of children and young people in our obligation for mandatory or other reporting when there are concerns or suspicions that a child or young person is at immediate risk of danger or harm.

## 5. Key Controls and Strategies

The following controls and strategies are in place at AGSA to address the National Principles which apply to the functions of AGSA in working with children and young people, and to ensure compliance with the relevant Acts listed throughout this policy.

### 5.1. Recruitment practices

AGSA will not engage any individual, in a paid or voluntary role, if aware that they have been convicted of any offence involving violence, neglect or any sexual offence against adults or children, regardless of the time that has lapsed since the offence.

To ensure engagement of the most suitable workers, including those recruited to prescribed positions, we act in accordance with best practice recruitment principles that include public statements stating AGSA's commitment to child safety, clear role descriptions, recruitment practices that include the use of behavioural interviewing, referee, screening and qualification checks.

All volunteers, interns, contractors including artists delivering front facing programs or engaging with children and young people will be required to provide a valid WWCC prior to their induction to AGSA work sites.

### 5.2. Duty of Care

Caring for children and young people brings additional responsibilities for all workers. AGSA maintains a zero-tolerance position on bullying, discrimination, victimisation, harassment and sexual harassment and therefore workers are required to comply with organisational policies relating to respectful behaviour, bullying and harassment, and to abide this policy in relation to working with children and young people.

Any worker who breaches AGSA or DPC policies will face disciplinary action and, depending on severity of the breach, the worker may have their employment contract for the provision of artistic or other services, or volunteer agreement, terminated.

### 5.3. Training

AGSA's commitment to creating child safe environments will be demonstrated through ensuring this policy is communicated to workers during the development and delivery of events involving children and young people.

[Safe Environments: Through their Eyes](#) training and [RRHAN EC Mandatory Notification](#) training is available for those in prescribed positions and interested workers with approval from their line manager.

Performance development conversations for all workers will continue throughout employment regarding maintaining and updating training as mentioned above.

### 5.4. Cultural Considerations

For the purposes of this procedure, cultural considerations include Aboriginal and Torres Strait Islander and Culturally and Linguistically Diverse (CALD) communities.

Cultural considerations are paramount at the time of responding to the child or young person and when planning intervention and assessment of the concerns. They must not influence whether a report is made.

### 5.5. Mandated Notifier and Reporting

Workers in prescribed positions are regarded as mandated notifiers/reporters, and therefore have a legal obligation to report any suspicion, on reasonable grounds, that a child or young person is, or may be, at risk of harm in accordance with the Child Safety Act.

In the first instance and depending on the severity of the incident or concerns, workers (whether they are a mandated notifier or not) are encouraged to share their concerns with their line manager, leadership team or AGSA Security.

In the event further action is required, responsibility to report to the Child Abuse Report Line (CARL) on 13 14 78 or South Australia Police (SAPOL) on 000 if the person is considered to be at immediate risk, will be taken by the mandated reporter or Lead Team member who has ultimate responsibility for that situation (eg event or program).

In line with the Department for Child Protection (DCP) [Role of mandated reporters guideline](#), the mandated reporter or Lead Team member responsible for the situation has a duty of care to consider how they can continue to support the family within their professional capacity and explore other support services for children, young people and families that may be able to help address the concerns, after a report has been made.

The responsible mandated reporter or Lead Team member is also required to document all information via an incident report in line with DPC incident reporting procedure and store this securely in a separate AGSA file.

More information on mandated reporting can be found in the [DHS Mandated Reporting Information Booklet](#) and on the DCP website: [Role of mandated reporters](#).

## 5.6. Risk Management

AGSA will identify, assess and monitor all potential and actual sources of harm and take steps to minimise the risk to children and young people who use AGSA's services.

Risks to the safety of children and young people and strategies to minimise those risks will be recorded in the AGSA Risk Register and reported through to AGSA's Risk and Policy Committee (the Committee).

Risks will be periodically reviewed by the Committee in line with the AGSA risk management process.

## 6. Responsibilities

<b>Art Gallery Board</b>	Responsible for approving this policy and accountable for actions and behaviors of those governed by this policy.
<b>Directors, AGSA Lead Team, Line Managers</b>	Responsible for overseeing policy implementation and ensuring compliance with the legislation and guidelines listed throughout this policy.
<b>Workers</b>	<p>Workers (see 3. Definitions) must act with integrity, respect and accountability that includes a duty of care towards children and young people. Workers are expected to create an organisational culture conducive to supporting this policy.</p> <p>Staff in prescribed positions are required to understand their responsibilities as mandated reporters and undertake training supporting compliance with their position.</p> <p>AGSA will ensure that artists, and others working with children in art contexts are compliant with AGSA and DPC's <a href="#">Protocols for Working with Children in Art</a> by ensuring understanding of their requirements, and the need to provide a WWCC as part of their engagement agreement.</p>
<b>Volunteers</b>	<p>Volunteers are required to undertake a WWCC as part of their engagement agreement with AGSA.</p> <p>Unless engaged in a prescribed position to deliver child related work, volunteers are not considered mandated notifiers. However, they are morally obligated to immediately report any concerns or suspicions about risk of harm to a child or young person to their primary supervisor, Security Team or Lead Team member for actioning.</p>

## 7. Communication

This policy will be communicated to workers, volunteers, Board and Committee members and relevant partners on policy implementation, as part of induction, information and education sessions, and following any review.

This policy and related documents will be publicly available on the AGSA intranet and internet, where applicable.

## 8. Related Documents

AGSA Exhibition Policy

AGSA Risk Policy

AGSA Volunteering Policy

[Children and Young People \(Safety\) Act 2017](#)

[Child Safety \(Prohibited Persons\) Regulations 2019](#)

[Code of Ethics for the South Australian Public Sector](#)

[DHS Child Safe Environment Resources](#)

[DPC Cybersafety at work](#)

[DPC Acceptable Use Policy \(2023\)](#)

[DPC Employment Screening Policy](#)

[DPC Volunteer, Internship and Work Experience Policy](#)

[DPC Respectful Treatment at Work Policy](#)

[Law Handbook, Legal Services Commission of SA](#)

[National Principles for Child Safe Organisations](#)

[OCPSE Recruitment Guideline](#)

[South Australian Mandatory Reporting Guide](#)

[South Australian Public Sector Enterprise Agreement: Salaried 2021](#)

[South Australian Public Sector Values and Behaviours Framework](#)

[SMART \(Strategies for Managing Abuse Related Trauma\)](#)

[Working with Children Check Guidelines](#)

## 9. Review

AGSA will review this policy and associated documents regularly. This policy will also be reviewed when:

- new or added risks are identified for children or young people, which may require a change in the policy or guidelines;
- a critical incident where a child or young person has experienced harm through involvement in AGSA programs;
- concerns are raised by anyone about child safety or welfare when at AGSA;
- awareness or compliance to the child safe policy and/or procedures is low; and
- there are legislative changes/requirements.

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Policy endorsed by the Risk and Policy Committee	14 November 2024
Policy approved by the Art Gallery Board	11 December 2024
Policy to be reviewed in its first year of implementation	14 November 2025