

## Fact Sheet 7

### Child Safe Environments – Information for sole traders and people working in partnerships

Sole traders and people working in partnerships who provide services to children must provide a child safe environment.

#### Who is affected?

Sole traders and people working in partnerships who provide the following services wholly or partly for children:

- Health
- Welfare
- Education
- Sporting or recreation
- Religious or spiritual
- Childcare
- Cultural
- Entertainment
- Party
- Residential

#### What do these people need to do?

To establish a safe environment for children, sole traders and people working in partnerships must:

- develop policies and procedures to establish and maintain a child safe environment
- meet “relevant history information” requirements, and
- lodge a statement about their policies and procedures with the Department for Education and Child Development.

#### Child safe policies and procedures

Sole traders and people working in partnerships must:

- develop policies and procedures to establish and maintain a safe environment for children, and

- lodge a statement about their policies and procedures with the Department for Education and Child Development.

Child safe environment policies and procedures must be of a standard set by DECD (Families SA). This standard is set out in the Child Safe Environments: Principles of Good Practice.

Most sole traders and people working in partnerships will have already met these obligations.

For those who haven't, it is important that they do so as a matter of priority.

Information about creating child safe environments, including templates and guidelines, are available from [www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe).

Please see Fact Sheet 3 for further information about lodging a compliance statement.

#### Relevant history information requirements

Sole traders and people in partnerships are prohibited from performing a prescribed function unless they have obtained in the past three years:

- A child related employment screening certificate issued by the authorised screening unit (located within the Department for Communities and Social Inclusion Screening Unit)
- or
- A criminal history report prepared by South Australia Police, the Australian Crime Commission (ACC) or an ACC accredited agency or broker.<sup>1</sup>

#### What is a prescribed function?

A sole trader or partner is performing a prescribed function if they:

- have regular contact with children and are not directly supervised at all times or

<sup>1</sup> Criminal history reports prepared before 1 July 2016 must have been issued by SAPOL, CrimTrac or a CrimTrac accredited agency or broker.

- work in close proximity to children on a regular basis and are not directly supervised at all times or
- supervise or manage persons who:
  - have regular contact with children or
  - work in close proximity to children on a regular basis or
- have access to prescribed records relating to children (e.g in connection with child protection services, education services, health services, disability services and court orders and proceedings) or
- undertake functions of a type prescribed by regulation (currently overnight care and prescribed passenger transport services).

### Requests by parents, guardians and carers

Sole traders and people in partnerships also need to be aware that a parent, guardian or carer of a child may ask in writing to see evidence of their compliance.

In the event that a parent, guardian or carer makes a written request to see evidence, the following must be provided:

- A child related employment screening certificate issued by the authorised screening unit (located within the Department for Communities and Social Inclusion Screening Unit)
- or
- A criminal history report prepared by South Australia Police, the ACC or an ACC accredited agency or broker.

A maximum penalty of \$10,000 may apply for non-compliance with this requirement.

### Mandatory reporting

Sole traders and people working in partnerships may also be mandated notifiers.

If a mandated notifier suspects on reasonable grounds that a child has been, or is being, abused or neglected and that suspicion is formed in the course of their work or in carrying out official duties, they must report their suspicion to the Child Abuse Report Line.

For more information about mandated notifiers and reporting suspected child abuse or neglect, go to [www.families.sa.gov.au](http://www.families.sa.gov.au)

To report suspected child abuse or neglect, contact the Child Abuse report Line on 13 14 78.

### Further information

For further information visit:

**Families SA child safe website:**  
[www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe).

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

**Phone:** 08 8463 6468