

Appendix C

Child Protection Requirements for DECD Principals, Directors and Community Groups in establishing community use agreements

The community's use of the Department for Education and Child Development's (DECD) facilities has benefits for everyone. The child protection requirements outlined in the [community use of school facilities agreements](#) are intended to help make sure that children are protected while the community enjoy these benefits. When parents enrol their children with a DECD service, they expect the education environment is a safe one. When the community shares a DECD facility, parents expect the shared use arrangements do not lessen the safety of the education environment.

Best scheduling practice

- Schedule community activities *outside* the hours of the education program.
- Schedule adult activities and children's activities on separate nights, or if not practicable, at separate times.
- If activities are scheduled *during* the hours of the operation of the education program, use vacant buildings or spaces on the site, such as the Out of School Hours Care facilities during school hours, to help establish a clear geographical separation for the activity.

Risk assessment by principal/director

If activities are scheduled during the hours of the education program, a risk assessment must be undertaken by the principal/director to determine whether adequate separation between the education and community programs is established. The risk assessment must include consideration of the following:

How do people access the activity? What route do they take entering and exiting the education grounds?

What toilets or change-rooms do they access and how are these quarantined for the community group's exclusive use?

How is incidental contact between adults and children enrolled at the education site monitored? For example, if the activity involves movement around the site during the education program, who supervises that movement?

If it is a shared service such as a library, how is same-time access by children and community members managed? Are toilets quarantined? What supervision is provided?

Criminal and Relevant History Screening requirements

Is the community group providing an activity or service wholly or partly for children in a health, education, welfare, sporting or recreational, religious or spiritual, child care, or residential service? (*Children's Protection Act 1993*)

Yes	Everyone engaged in providing that activity as a hirer, employee, volunteer, director, officer, contractor and invitee must have a current criminal and relevant history clearance.
No but the activity operates during the hours of the education program	The site leader undertakes a risk assessment (see above). DECD may require any member of the community group to obtain complete and current criminal and relevant history information as a means of establishing that no unsuitable person is engaged with the activity on a DECD site.
No and the activity operates outside the hours of the education program	DECD may require any member of the community group to obtain complete and current criminal or relevant history information as a means of establishing that no unsuitable person is engaged with the activity on a DECD site.

The required actions when unsuitable persons are identified (e.g. by police) or alleged by others

All community groups using DECD sites have child protection reporting responsibilities. These responsibilities are designed to ensure that:

- police and child protection authorities are notified about matters for which they have investigative responsibilities
- information about unsuitable persons* is acted on immediately and all community members, employees, volunteers, directors, officers, contractors and invitees are aware of their responsibilities to immediately notify DECD regarding unsuitable persons
- parents of children accessing, or in proximity to the activity, are informed of all known and potential threats to their children's safety based on an assessment of risk
- unsuitable persons do not continue to be engaged with an activity on a DECD site
- the Minister for Education and Child Development is informed of all circumstances involving unsuitable persons and the community group's actions in meeting the requirements of the shared use agreement

*Unsuitable persons are those that are the subject of any allegation, arrest, charge or conviction for a sexual offence, an offence of indecency, violence, deprivation of liberty or other indictable offence.

Actions checklist for community groups

- Police report if police are not already involved.
- Mandatory report if child abuse or neglect is suspected.
- Removal and exclusion of unsuitable person as per police advice.
- Immediate advice to the principal/director who may make a mandatory report based on the information provided.
- Assessment of risk to children and identification of parents to be notified **in consultation with principal/director** (DECD principals/directors are required to follow the [Managing Allegations of Sexual Misconduct](#) guidelines when coordinating these actions with the community group)
- Notification to the Minister for Education and Child Development regarding all actions required in the Shared Use Agreement.
- Notification to identified parents once the matter is more than an allegation.

Note:

Community groups whose activities do not involve children and young people are still required to follow the above checklist and take all required actions as relevant. For example, DECD must be advised that a community member is an alleged unsuitable person even though a mandatory report may not be required or there is no obvious parent group to notify. The principal/director and Minister for Education and Child Development must be advised in every case except if the principal/director is the person about whom the allegation is made. In this instance the community group must report directly to the Minister.

Principals/directors should seek the advice of their line managers if they are unsure about any aspect of a community group's operation at their site.

If there is any inconsistency between these requirements and the [Community Use of School Facilities – Agreement Form](#), the Agreement Form will prevail.