

## Child Safe Environment obligations for Registered Training Organisations

Service Skills SA has been engaged in a Reframing the Future Project addressing Child Safe Environment Practices for Registered Training Organisations (“RTOs”). As part of this project many RTOs requested clarification of their obligations under the Children’s Protection Act, 1993. With support from DFEEST and Families SA, advice from the Crown Solicitor’s Office was sought to clarify the issues raised. This advice is summarised below. This advice relates to South Australian legislation only, and RTOs operating interstate may have additional obligations. Note that a child is someone under the age of 18.

*RTOs are organisations that provide educational services partly to children. It is immaterial that the education has a vocational character. They are also non-government organisations. Because they satisfy both criteria, they fall within the ambit of the set of organisations described by section 8C(3)(a).*

*Essentially RTOs are obligated to establish appropriate policies and procedures to ensure that child abuse and neglect are reported and that child safe environments are established and maintained within the organisation. Policies and procedures must comply with Regulation 7 of the Children’s Protection Regulations 2006*

*The child safe environment policies of an RTO should address the issue of the child’s safety when the child is undertaking any training that occurs outside the boundary of the organisation such as workplace learning with an employer/other organisation. An RTO should take reasonable steps to make some assessment of the work environment or employer before children are placed there.*

### ***In practical terms this means that:***

RTOs must have Child Safe Environment Practice policies and procedures (including a code of conduct) and ensure that any employers or workplace learning organisations used by the RTO also have the relevant policies and procedures.

If the workplace learning employer/organisation has a child safe policy, the RTO assessment may consist of simply reviewing that policy and pointing out any obvious deficiencies.

If the employer/organisation does not have a child safe policy the RTO could provide a model policy to an employer/organisation and to ask them to adopt the policy and promulgate it to all employees.

An RTO does not have to ensure staff undergo Mandated Notification training or criminal history checks to meet their obligations under the Act. However RTOs working in Schools and/or receiving certain Government funding may be required to do so as part of these contractual arrangements.

**To assist RTOs to meet these obligations, Service Skills SA (through its Reframing the Future Project) has produced templates for an RTO CSE policy and code of conduct, in addition to a CSE good practice checklist. These tools have been developed in conjunction with a range of RTOs and endorsed by DFEEST VET Quality and Families SA. The CSE Policy and Code of conduct templates could be provided to an employer for their use also.**

**These documents are available from the following website:**  
[www.servicesskillssa.com.au](http://www.servicesskillssa.com.au)