

# Child Safety

## Compliance Policy



### Purpose

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The purpose of this Child Safety Policy is to:

- demonstrate ACM's commitment to promoting child safety in accordance with the Victorian Child Safe Standards (refer to Definitions at Attachment A)
- set the parameters for establishing and maintaining a child-safe and child-friendly environment
- take all necessary measures to ensure the safety of children whilst on ACM's premises.

### Scope (*Child Safe Standard 1*)

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This policy applies to the Trust and management of the Victorian Arts Centre Trust trading as Arts Centre Melbourne ("ACM"). This Policy forms part of ACM's strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

This policy applies to all people who may work with children at any time at ACM including:

- employees
- volunteers
- contractors and sub-contractors including workshop facilitators and arts learning teachers
- work experience students/interns/secondments
- any other individual working in the organisation that may deal with children
- licensees/presenters utilising ACM venues, and their associated persons; including, their employees, contractors, agents, invitees, guests, artists and any person granted access to ACM at the request of the licensee/presenter

### Commitment to Child Safety (*Child Safe Standard 2*)

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All children working with, engaged by or visiting ACM have a right to feel and be safe, respected, valued and protected from harm. Children should be made aware of and feel confident in their rights and responsibilities.

ACM is strongly committed to the safety and wellbeing of all children visiting and working with us and to creating and maintaining a child safe environment. The welfare of children entrusted to our care is a top priority and we have zero tolerance for child abuse.

ACM will take all necessary steps to prevent and protect children from physical, sexual, emotional, psychological, and cultural abuse and neglect.

### Policy

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#### 1 Supporting Children's Participation and Satisfaction (*Child Safe Standard 7*)

- 1.1. ACM supports, enables and promotes the active participation of children by:
- encouraging expression of and respecting the views of children and parents/legal guardians

- encouraging and empowering children and parents/legal guardians to raise any concerns or complaints
  - listening to and acting upon any concerns raised by children and parents/legal guardians
  - involving children when making decisions, especially about matters that will directly affect them
  - ensuring children know their rights and the expected behaviour of adults and children
  - ensuring ACM team members dealing with children are skilful in facilitating their participation
  - teaching children what they can do and who they can turn to if they feel unsafe
  - valuing diversity and not tolerating any discriminatory practices.
- 1.2. ACM aims to create an environment where children employed by ACM to perform are encouraged to gain as much satisfaction as they can from their employment by:
- supporting children to feel respected and in control of their behaviour and work
  - ensuring children enjoy the overall experience of being engaged with a production or other organisation activity
  - encouraging children to assist each other in fulfilling their employment obligations and in developing a positive sense of pride in their work (e.g. discussing character development and stagecraft in groups and leading warmup activities)
  - offering opportunities for children to derive personal satisfaction and a sense of achievement throughout their experience and the relationships they make on the production
  - encouraging children to develop self-discipline in balancing their commitment to their performance, their education and their social and family activities.

## **2 Valuing Diversity**

- 2.1. ACM values diversity and does not tolerate any discriminatory practices.
- 2.2. ACM is committed to protecting any children with which the organisation engages from physical, sexual, emotional and psychological abuse, as well as neglect and contempt, ridicule, hatred, or negativity towards a child because of their race, culture, religion, disability, gender identity or sexual identity.
- 2.3. In our activities with children we will promote and respect:
- the cultural safety of Aboriginal children
  - the cultural safety of children from culturally and/or linguistically diverse backgrounds
  - the safety of children with a disability.

## **3 Screening, supervision, training and other human resources practices that reduce the risk of child abuse (*Child Safe Standard 4*)**

- 3.1. ACM has human resource practices that reduce the risk of child abuse by new and existing personnel.

- 3.2. ACM takes all reasonable steps to ensure it engages the most suitable and appropriate people for child-related work, whether in a paid or voluntary capacity.
- 3.3. ACM maintains a rigorous and consistent recruitment, screening and training process, which includes:
  - interviewing and conducting thorough referee checks on all applicants (including with their most recent manager)
  - developing clear duty statements and job descriptions for roles intended to work with children that state clearly ACM's commitment to providing safe environments for children and hold people to account if it appears that they are behaving in a way that is unsuitable for work with children.
  - attaining and keeping a record of Working with Children Checks for anyone with direct and unsupervised contact with children, such as ACM team members designated to supervise or chaperone children (refer clause 14 below for further detail)
  - ensuring supervisors recruited are suitable and qualified to be responsible for the direct safety and wellbeing of children.

#### **4 Support for ACM Team Members (*Child Safe Standard 4*)**

- 4.1. ACM seeks to support team members by:
  - inducting new team members on our Child Safety Policy, Child Safety Code of Conduct and other relevant guidelines, policies and procedures
  - encouraging relevant team members to attend periodic training and information sessions to remain up to date on knowledge in child protection, nature and signs of child abuse, cultural competency and other matters that affect children
  - appointing an ACM Child Safety Officer and Frontline Child Safety Officers to be the first point of contact to provide advice and support to ACM team members on the safety and wellbeing of children engaged with the organisation
  - ensuring ACM team members feel encouraged and empowered to report any complaints, concerns or perceived risks to child safety to the ACM Child Safety Officer or other Director or Executive Director
  - ensuring designated supervisors of child performers that are new to the role work with experienced supervisors for several productions before working on productions requiring single supervisors.

#### **5 Child Safety Code of Conduct (*Child Safe Standard 3*)**

- 5.1. ACM has developed a Child Safety Code of Conduct to provide guidance to ACM team members on expected behaviours when in direct contact with or working around children.
- 5.2. All ACM team members must abide by the Child Safety Code of Conduct and will be asked to demonstrate their understanding of the Code at the end of induction and training sessions.

#### **6 Exposure to Adult Themes in Child Employment**

- 6.1. In accordance with the Mandatory Code of Practice for the Employment of Children in Entertainment, child performers are not to be placed in a situation that exposes them to inappropriate behaviour or language for their age level, such as:
  - nudity (male and female genitals, buttocks and female breasts)

- swearing, obscenities or ‘adult’ talk
  - smoking of any substance or drinking of alcohol (except as required in the performance following a conversation with the child about the use of substances or alcohol for dramatic purpose)
  - harassment, humiliating or demeaning behaviour
  - aggressive, threatening or uncontrolled behaviour
  - inappropriate influence in regard to opinions, beliefs, behaviour or conduct.
- 6.2. It is important that any activity which the performance requires of child performers is not dangerous, distressing, or inappropriate in any way with regard to the child’s age, culture, religion, maturity, emotional or psychological development, and sensitivity.
- 6.3. For shows where ACM is the producer, ACM will discuss potentially distressing, controversial or negatively influential material or themes with parents/legal guardians as part of obtaining written parental consent for the employment. Potentially distressing or adult content will be clearly explained to child performer(s) as part of the rehearsal process, and all efforts will be made to minimise a child’s exposure to potentially upsetting material. ACM may also take guidance from the regulatory authority for child employment around strategies for minimising a child’s exposure to distressing material, such as briefing, debriefing and ongoing monitoring.

## **7 Content Warnings and Advice**

- 7.1. Parent or guardian discretion must be exercised to ensure that children attending performances or other activities at ACM are not exposed to content which may be unsuitable for them having regard to the child’s age, culture, religion, maturity, emotional or psychological development, and sensitivity.
- 7.2. Based on the information available to ACM about the content of performances, ACM will support the exercise of parent or guardian discretion by:
- Providing guidance around the suitable age for performances on the event information pages of the ACM website and in the Families brochure.
  - Communicating age recommendations when “child” tickets are purchased at the box office or over the phone.
  - Placing content warning signage in the foyer.

## **8 Auditions and Casting**

- 8.1. ACM aims to ensure that any casting and audition process it conducts for child performers is a safe and positive experience by:
- informing parents/legal guardians in the audition notice of relevant production details and how issues are managed including:
    - details regarding choreography, content, and involvement of potentially frightening or confusing elements (e.g. animals, pyrotechnics)
    - details on how the potential negative effects of identified issues are mitigated
    - a statement that parents are encouraged to discuss issues with children and express any concerns they may have with the relevant point of contact (e.g. supervisor, producer, ACM Child Safety Officer)
  - allowing children to meet supervisors and other ACM team members in a friendly and unthreatening environment

- having auditions conducted by appropriately experienced and screened team members
- allowing children and parents/legal guardians adequate time to discuss and raise any concerns they may have
- avoiding casting a child where ACM team members reasonably believe the child might have been pushed past their limits by parents/legal guardians or agents
- notifying children of success or otherwise as soon as possible, and providing feedback where possible
- providing a positive audition experience for children that will build their confidence.

## **9 Using Images of Children**

9.1. ACM aims to protect the safety and privacy of child performers by:

- Obtaining informed consent, prior to taking or publishing images, from a parent/legal guardian (if the child is not old enough to provide consent) and the child (if old enough to provide consent) for the use of images of child performers, and providing parents/legal guardians with details on how and where the images will be published, and if images will contain identifying or personal information about the child (e.g. school uniform, name, hobbies)
- Informing parents/legal guardians if ACM wants to film or take photos of children for analysis purposes or to improve performances
- If the image of child performers is going to be taken in a venue away from the usual rehearsal or performance venue, seeking the parents'/legal guardian's consent to be present (or consent to the supervisor being present instead)
- Making sure professional photographers are aware that any images taken will remain the property of ACM and cannot be used or sold for other purposes.
- Making sure photographers are not left unsupervised with children and do not have individual access to children
- Avoiding the use of images of children in minimal clothing (e.g. revealing costumes)
- Providing parents/legal guardians with details of who to contact if they have concerns or complaints around the use of inappropriate images or inappropriate behaviour in the taking or publishing images.

9.2. ACM aims to protect the safety and privacy of child audience members, workshop participants and child visitors by:

- Making ticket holders aware through the Conditions of Entry and placing a notice in a prominent position at the venue that photographers may be engaged for official record and marketing purposes
- Only publishing images that do not contain identifying information about children (e.g. school uniform, name) unless otherwise agreed
- Making sure photographers engaged by ACM are aware that any images taken will remain the property of ACM and cannot be used or sold for other purposes.
- Making sure photographers are not left unsupervised with children or have individual access to children

- Providing details to parents/legal guardians on who to contact if they have concerns or complaints around the use of inappropriate images or inappropriate behaviour in taking or publishing images.

## **10 Communication**

- 10.1. ACM maintains open communication with team members, parents/legal guardians and children by:
  - ensuring that all ACM team members have read, understood, and are aware of their obligations under the Child Safety Policy, Code of Conduct, and any other relevant guidelines, policies and procedures
  - making relevant documents easily accessible by displaying relevant child safety materials in areas of common traffic, publishing relevant documents to our intranet and website and having copies available upon request.
- 10.2. ACM is committed to being responsive to concerns raised by team members, children and parents/legal guardians, and seeking to resolve issues to the satisfaction of all parties
- 10.3. For children employed by ACM as performers, parents/legal guardians are provided with at least one contact from ACM who is available to speak with them or facilitate speaking to their child at any time during periods of work.
- 10.4. ACM provides parents/legal guardians and child performers with information on:
  - the child's expected role, activities, responsibilities and behaviour during their period of employment
  - the child's progress throughout the production and timely notice of schedules
  - the rights of parents/legal guardians and children regarding supervision and workplace conditions, as determined by Victorian regulations
  - ACM's Complaints and Reporting Procedure.
- 10.5. ACM encourages children to communicate and ask questions regarding their employment.

## **11 Complaints and Reporting Procedure**

- 11.1. ACM team members, parents/legal guardians and children should feel enabled, empowered and supported to safely raise any concerns or complaints about any perceived risks to a child's safety or signs of abuse.
- 11.2. Clause 20 below provides further detail on the procedure responding to any complaint of abuse or non-compliance with this policy and Child Safety Code of Conduct, including means to take disciplinary action when necessary.

## **12 Risk Management (*Child Safe Standard 6*)**

- 12.1. ACM takes a preventative and proactive approach to minimising the risk of harm to children by periodically conducting reviews to identify risks and vulnerabilities in our organisation as part of our ongoing risk management and health and safety processes.

## **13 Supervision of Child Visitors**

- 13.1. ACM's Conditions of Entry require children under the age of 15 to be under the supervision of a responsible adult (18 years and over) at all times. For children aged over 15 years old, parental discretion should be exercised regarding whether they can attend ACM, including performances, without supervision.

- 13.2. There may be exceptions to the requirements for children under the age of 15 to be supervised by a parent or guardian when attending certain events at ACM which are tailored workshops or participatory programs that have been specifically created for a targeted age group. For these types of tailored workshops and/or programs, responsible adults will be encouraged to drop off and collect children. If children request their parent or guardian remain with them for the duration of the workshop/program then this will also be accommodated. These special arrangements will be clearly noted in the performance notes advertised for these types of special workshops/programs. ACM must have full Working with Children (WWC) Checks for all artists and all team members directly involved in these special workshops/programs. Parents/legal guardians will be required, in these special circumstances, to provide relevant consents, important medical information and emergency contact details; and they will also be provided with at least one point of contact from ACM.

#### **14 Working With Children Checks**

- 14.1. Under the *Working with Children Act 2005*, ACM team members who engage in paid or voluntary child-related work require a Working with Children (WWC) Check.
- 14.2. The purpose of a WWC Check is to assess a person's suitability to work with children by examining offences recorded by a national criminal history and, where appropriate, disciplinary findings of professional bodies. WWC Cards are valid for five years unless revoked.
- 14.3. To make a decision on whether WWC Checks are applicable to certain positions within ACM, the circumstances of children in the workplace, obligations and control strategies must be examined by the HR Advisor (in consultation with the Director, Strategic Planning and Governance where required).
- 14.4. At ACM, team members in the following business areas are currently required to undergo a WWC Check and hold a valid WWC Card:
- Programming – all team members including those working in The Channel
  - Production – Wardrobe team member
  - Visitor Experience – Guest Hosts, Tour Guides and Duty Managers.
- 14.5. ACM team members required to hold a WWC Check must notify their supervisor if at any time a complaint is made against them in relation to children or their WWC Check is revoked.

#### **15 Children employed in events**

- 15.1. At some ACM events, children will be employed as performers. The employment of children is governed by the *Child Employment Act 2003 (Vic)* and the Mandatory Code of Practice for the Employment of Children in Entertainment ("Mandatory Code").
- 15.2. Where the child is being employed by a Presenter hiring the venue, the Presenter is obliged under section 32 of the *Child Employment Act 2003* to follow the Mandatory Code. Where ACM Presents is employing a child, ACM is responsible for complying with the Mandatory Code.
- 15.3. Some of the key requirements to note under the Mandatory Code are:
- The designated child supervisors (other than the parent or legal guardian or members of the child's extended family) must hold a current WWC Check

- Prior to employment, an application for a Child Employment Permit must be made by the employer with the consent of the child's parent/legal guardian. A copy of the Child Employment Permit must be available at the place of work
  - Copies of any relevant hazard identification and risk assessment reports forming part of the application for a Child Employment Permit will be available. This will include consideration about the general appropriateness of the proposed work for children as well as the particular child's fitness for the proposed work
  - The employer is responsible for providing appropriate facilities, food and drink for the child as specified under the Mandatory Code and for ensuring that the Mandatory Code is complied with in respect to the supervision and child welfare requirements.
  - Records must be kept and maintained for 12 months from the date of last entry, and must contain details about such issues as times and dates of employment, hours worked, location of work and, where tutoring has been a permit requirement, the times, hours and subject matter of tutoring.
- 15.4. Risk assessments must be completed for all events by the Presenter (which include ACM Presents). For events involving children, additional risk control measures include ensuring that the relevant employer (Presenter or ACM) obtains a Child Employment Permit, stage management procedures for working with the children are specified and the child supervisors are designated.
- 15.5. Risk assessments must be completed two weeks prior to start date of the event and any high risk matters regarding child safety brought to the attention of the Health, Safety and Environment team and the ACM Child Safety Officer.

## **16 Children on Stage**

- 16.1. Children often participate in events at ACM. Most frequently they perform in school concerts that occur at Hamer Hall, however they may also be part of community organisation events including cultural presentations and association competitions, which could occur in any of ACM's venues or spaces.
- 16.2. The general safety of children in school events is governed by Education Department guidelines similar to school excursion requirements (refer section 15).
- 16.3. ACM requires that where children will be on stage in an event, the risk assessment specifically identifies the risks associated with the activities of the children and articulates acceptable risk control measures. This risk assessment must be completed two weeks prior to the start date of the event to allow review by the Health, Safety and Environment team. Where required, ACM will recommend any actions where there is a physical risk associated with the set or other concern.

## **17 Children as part of a School Excursion supervised by Teachers or other Responsible Adults**

- 17.1. School excursions are planned under the Department of Education & Early Childhood Development's (DEECD) Schools Reference Guide (details available on the DEECD website).
- 17.2. School excursions to ACM are governed by Education Department guidelines, which stipulate supervision ratios – generally no more than 1:20 or preferably 1:10. The ratio is assessed by the school during planning and takes into account, for example, teacher skills and experience, the age and maturity of the students, the nature and location of the excursion and the activities to be undertaken.



- 17.3. As a part of their professional registration process, teachers are employed subject to having obtained a National Criminal Histories Records Check. Any other responsible adults will be either parents or guardians of the children, education support class officers, and/or community member or trainee teachers.
- 17.4. ACM requires children visiting areas under the control of ACM as part of a school excursion to be under the strict supervision of their teachers or other responsible adults during their visit. The obligations of this supervision cannot and must not be passed on to ACM staff.
- 17.5. Necessary information including such matters as workplace inductions, no-go areas and emergency exits must be delivered at the beginning of the visit by the relevant ACM team member.
- 17.6. ACM is responsible for ensuring its procedures and safe work methods are adhered to by all those involved in school excursion groups.

## **18 Students involved in Work Experience Programs**

- 18.1. Students involved in work experience programs at ACM are subject to the Education and Training Reform Act 2006. The Ministerial Order 382 – Work Experience Arrangements must be complied with.
- 18.2. As a general rule, ACM does not engage students for work experience programs, and will not exchange any students 15 years old or younger for work experience programs.
- 18.3. For students over 15 years of age who are undertaking work experience, the legislated requirements for WWC Checks do not apply to employers and supervisors.
- 18.4. In the rare instances where a student is to be engaged for work experience, the minimum requirements for their engagement at ACM are as follows:
  - Human Resources must manage the application process between the school, organisation or student and the appropriate ACM department;
  - Human Resources must manage the approval process and complete the Work Experience Form detailing the arrangements of the work experience;
  - Appropriate training in respect of induction, occupational health and safety requirements and the duties to be performed must be provided for the student; and
  - Adequate levels of supervision must be provided for the student.

## **19 Children Attending ACM Under the Control of a Parent/Legal Guardian**

- 19.1. Where children are attending ACM as members of the public (e.g. as members of an audience), both the child and its parents/legal guardians are subject to the Terms and Conditions of Entry.

## **20 Complaints and Breaches**

- 20.1. The Director, Strategic Planning and Governance acts as the ACM Child Safety Officer, and has responsibility for reviewing complaints, assessing breaches of this policy and ensuring child safety training is provided annually.
- 20.2. The Duty Manager acts as the Frontline Child Safety Officer and is the first point of contact to provide advice and support to children, parents/legal guardians and ACM team members regarding the safety and wellbeing of children engaging with ACM. This includes being the first point of contact for dealing with and reporting complaints of non-compliance with this policy and code of conduct.

- 20.3. The Duty Manager must refer any complaints or breaches of this policy to the ACM Child Safety Officer, who will manage the breach in accordance with the Compliance Management Procedure. A breach may result in disciplinary action.
- 20.4. It is the responsibility of all ACM team members to report a breach of this policy. Any team member wishing to report a breach of this policy can do so by contacting the ACM Child Safety Officer or their direct manager.
- 20.5. Further detail on the processes for responding to and reporting suspected child abuse (**Child Safe Standard 5**) is included in the Child Safety Complaints and Reporting Procedure.

## 21 Victorian Reportable Conduct Scheme

- 21.1. The Victorian Government amended the Child Wellbeing and Safety Act 2005 to introduce the Reportable Conduct Scheme which applies to ACM from 1 January 2019.
- 21.2. The Scheme requires that ACM notify the Commission for Children and Young People (CCYP) about allegations of child abuse and child related misconduct made against ACM employees, volunteers and contractors.
- 21.3. If the ACM Child Safety Officer becomes aware of a reportable allegation against a team member, they must notify the CCYP **within three business days**.
- 21.4. Creative Victoria (both the Deputy Secretary, CV, and the Director, Agencies & Infrastructure) must also be notified about reportable conduct allegations within the same 3 business day window for notifying the CCYP.
- 21.5. **Within 30 calendar days** the ACM Child Safety Officer must provide the CCYP detailed information about the reportable allegation and any action ACM have taken.
- 21.6. As soon as practicable, following investigations, a copy of the investigation findings and information about actions must also be provided to CCYP.
- 21.7. Further detail on process in relation to the Reportable Conduct Scheme is included in the Child Safety Complaints and Reporting Procedure.

## 22 Implementation and Review Process

- 22.1. The Child Safety Policy will be reviewed every year. The review process will include the incorporation of feedback from children, parents, team members and any other relevant individuals or bodies.

## 23 Roles and Responsibilities

Role	Responsibility
ACM Child Safety Officer (Director, Strategic Planning and Governance)	Investigate any complaints or breaches in accordance with the Child Safety Policy. Ensure child safety training is delivered to relevant areas of the business on an annual basis. Ensure compliance with the Reportable Conduct Scheme under the authority delegated by the CEO.
Chief Executive Officer (CEO)	To discharge their obligations under the <i>Child Wellbeing and Safety Act 2005</i> as the head of ACM by delegating to the Director, Strategic Planning and Governance, the tasks required to comply with the Reportable Conduct Scheme.

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Frontline Child Safety Officer (Duty Manager)	Act as first point of contact to provide advice and support to children, parents/legal guardians and ACM team members regarding the safety and wellbeing of children engaged with the organisation. This includes being the first point of contact for dealing with and reporting complaints of non-compliance with this policy and related code of conduct.
Director, Programming	Ensure all team members that require a WWC Check have a WWC Check.
HR Advisors (in consultation with Director Strategic Planning and Governance where required)	Identify positions requiring a WWC Check.
Health, Safety and Environment team	Review Event Risk Assessments which identify high risks with regard to child safety matters.
Manager, Visitor Experience	Ensure all Guest Hosts and Duty Managers have a WWC Check and undertake annual child safety training.
Associate Director, Human Resources	Maintain WWC Check currency records.
Presenter Account Managers	Ensuring Presenters are made aware of their obligations under the Policy.
Production Manager	Review Presenter Risk Assessment for Working with Children/ child safety aspects.

## Attachment A – Definitions

Key Term	Definition
Arts Centre Melbourne (ACM)	The Victorian Arts Centre Trust trading as Arts Centre Melbourne.
Child	Includes children and young people under the age of 18 (unless otherwise specified by law). In the case of the <i>Child Employment Act 2003</i> , it means a person under 15 years of age.
Child abuse	<p>Includes physical abuse, sexual abuse, psychological or emotional abuse, and neglect.</p> <p>Physical abuse: occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person.</p> <p>Sexual abuse: occurs when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development (includes grooming with the intent to sexually abuse a child).</p> <p>Psychological or emotional abuse: occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.</p> <p>Neglect: the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.</p>
Child Safe Standards	<p>All Victorian organisations that provide services or facilities to children are required by law to comply with the Child Safe Standards.</p> <p><b>The Child Safe Standards are comprised of three overarching principles and seven broad standards.</b> These have been designed to drive cultural change in organisations, so that protecting children from abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers.</p> <p>This will assist organisations to:</p> <ul style="list-style-type: none"> <li>• Promote the safety of children</li> <li>• Prevent child abuse</li> <li>• Ensure effective processes are in place to respond to and report allegations of child abuse</li> </ul>

	<ul style="list-style-type: none"> <li>• Encourage children to ‘have a say’, especially on issues that are important to them or about decisions that affect their lives.</li> </ul> <p><b>Overarching principles</b></p> <p>As part of each standard, organisations must reflect and embed the following overarching principles:</p> <ol style="list-style-type: none"> <li>1. Promoting the cultural safety of Aboriginal children.</li> <li>2. Promoting the cultural safety of children from culturally and linguistically diverse backgrounds.</li> <li>3. Promoting the safety of children with a disability.</li> </ol> <p><b>The seven Standards are as follows:</b></p> <ol style="list-style-type: none"> <li>1. Strategies to embed a culture of child safety through effective leadership arrangements.</li> <li>2. A child safe policy or statement of commitment to child safety.</li> <li>3. A code of conduct that establishes clear expectations for appropriate behaviour with children.</li> <li>4. Screening, supervision, training, and other human resources practices that reduce the risk of child abuse by new and existing staff.</li> <li>5. Processes for responding to and reporting suspected child abuse.</li> <li>6. Strategies to identify and reduce or remove risks of child abuse.</li> <li>7. Strategies to promote the participation and empowerment of children.</li> </ol> <p><i>Source: Victorian Department of Health and Human Services website (last updated 19 October 2018): <a href="https://providers.dhhs.vic.gov.au/child-safe-standards">https://providers.dhhs.vic.gov.au/child-safe-standards</a></i></p>
Child-related work	<p>For the purposes of the Working with Children Act 2005, child-related work is paid or unpaid work that usually involves, or is likely to usually involve, direct contact with a child.</p> <p><i>(Reference section 9 of the Working With Children Act 2005 as amended by the Working with Children Amendment Act 2016)</i></p>
Cultural safety	<p>Cultural safety is “an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.”<sup>1</sup></p> <p>For Aboriginal people “cultural safety and security requires the creation of:</p> <ul style="list-style-type: none"> <li>• Environments of cultural resilience within Aboriginal and Torres Strait Islander communities</li> </ul>

<sup>1</sup> Williams, R. (2008), Cultural safety; what does it mean for our work practice? *Australian and New Zealand Journal of Public Health*, 23(2):213-214

	<ul style="list-style-type: none"> <li>• Cultural competency by those who engage with Aboriginal and Torres Strait Islander communities.”<sup>2</sup></li> </ul>
Direct contact	<p>For the purposes of Working with Children Check requirements around child related work, direct contact means any contact between a person and a child that involves—</p> <ul style="list-style-type: none"> <li>(a) physical contact; or</li> <li>(b) face to face contact; or</li> <li>(c) contact by post or other written communication; or</li> <li>(d) contact by telephone or other oral communication; or</li> <li>(e) contact by email or other electronic communication;.</li> </ul> <p>(Reference: section 3(1) of the <i>Working With Children Act 2005</i> as amended by the <i>Working with Children Amendment Act 2016</i> )</p>
Director	A member of ACM Management who reports directly to an Executive Director or the Chief Executive Officer and has responsibility for leading a Business Unit.
Executive Director	A member of the Executive management team and a direct report to the Chief Executive Officer.
Parent or guardian	Includes any parent, legal guardian or appropriate family member responsible for the child.
<b>Reportable conduct</b>	Refer Attachment B for definitions of reportable conduct.
Supervisor	ACM team member appointed to supervise or chaperone child performers. For the purposes of this policy the definition of supervisor includes chaperones unless otherwise indicated.
Team member	<p>An individual who is:</p> <ul style="list-style-type: none"> <li>a) employed directly by ACM;</li> <li>b) indirectly employed through ACM (including by way of a consultancy, agreement or contract) such as through funds administered by ACM; or</li> <li>c) a temporary employee.</li> </ul> <p>For the purposes of this policy, the term ‘team member’ includes volunteers, contractors and sub-contractors including workshop facilitators and arts learning teachers, work experience students, interns and secondments, and any other individual in the organisation that may deal with children.</p>
Temporary employee	A person who is approved to use the facilities of ACM for a temporary assignment, observation or research or a short term consultancy agreement. Types of temporary workers who fall into this category include volunteers, visiting research fellows and students.
Trust	The Victorian Arts Centre Trust.
Victorian Reportable Conduct Scheme	The Victorian Reportable Conduct Scheme seeks to improve organisations’ responses to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the Child Wellbeing and Safety Act 2005 (the Act).

<sup>2</sup> AHRC Social Justice Report 2011

	<p>The Commission for Children and Young People (CCYP) is responsible for administering the scheme.</p> <p>The Reportable Conduct Scheme imposes new obligations on heads of organisations that are within the scheme. This includes requirements to:</p> <ul style="list-style-type: none"> <li>(a) have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response; and</li> <li>(b) ensure that the Commission is notified and given updates on the organisation’s response to an allegation.</li> </ul> <p>The Reportable Conduct Scheme does not replace the need to report allegations of child abuse, including criminal conduct and family violence to Victoria Police.</p>
<p>Working with Children Check</p>	<p>The Working with Children Check (WWC) assists in protecting children from sexual or physical harm by ensuring that people who work with, or care for them are subject to a screening process.</p> <p>Any ACM Team member required to have a WWC must have an Employee grade Working With Children Check. A Volunteer Working with Children Check is not sufficient.</p>

## Attachment B – What is Reportable Conduct?

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There are five types of 'reportable conduct' listed in the Child Wellbeing and Safety Act 2005:

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

### Exceptions

An allegation will not be reportable if:

- the worker or volunteer has taken reasonable steps to protect a child from immediate harm;
- the worker or volunteer has responsibility for discipline and has taken lawful and reasonable disciplinary action, such as sending a child to sit in 'time out' for a period of time, in line with organisational policy; or
- the worker or volunteer is an appropriately qualified worker or volunteer who has given medical treatment in good faith, such as a senior first aid officer administering first aid.

Further information is also available on the Commission for Children and Young People's website at:

[www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au).

The CCYP website resource material contains detailed information sheets, including information about types of reportable conduct, reporting obligations and investigation process:

<https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/>



## Supporting Documentation

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### a) Forms and Records Management

Forms or records that are generated by the policy are as follows:

Form	Retention Period	Location
Working with Children Checks	For the duration of the ACM team member's employment, and/or until card expiration	Employee Files (Human Resources)
Child Safety Training attendance records	Two years after training has occurred	Governance Training Files (shared drive)

### b) Related Policies, Operating Procedures and Legislation

Legislation
<i>Child Employment Act 2003</i>
<i>Child Wellbeing and Safety Act 2005 including Child Safe Standards as Gazetted on 31 December 2015 (Attachment CV)</i>
<i>Children Legislation Amendment (Reportable Conduct) Act 2017</i>
<i>Commission for Children and Young People Act 2012</i>
<i>Education and Training Reform Act 2006</i>
<i>Mandatory Code of Practice for the Employment of Children in Entertainment</i>
<i>Working with Children Act 2005 (as amended in 2016)</i>
<i>Working with Children Regulations 2006</i>
Related Policy or Operating Procedure
Child Safety Code of Conduct
Child Safety Complaints and Reporting Procedure
Compliance Management Policy
Compliance Management Procedure
Occupational Health and Safety Policy
Emergency Management Plan – Section 5 Child/Person Lost or Found

### c) Compliance Assurance Activities

Activities related to assuring compliance with this policy are as follows:

Task	Documentation method	Reference
Annual child safety training	Scheduled in Risk Wizard	
Duty statements and position descriptions for roles intended to work with children	Managed by Human Resources	
Working with Children Checks	Managed by Human Resources	

## Governance

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### a) Responsibility

<b>Policy Owner</b>	Chief Executive Officer
<b>Approving Body</b>	Trust

**b) Version Control and Change History**

<b>Version Number</b>	<b>Approval Date</b>	<b>Approved by</b>	<b>Amendment</b>
1.0	October 2015	Chief Operating Officer	First version
2.0	February 2017	Trust	Amendments to reflect new Victorian Child Safety Standards
3.0	November 2018	Trust	Updates to reflect compliance requirements of the Victorian Reportable Conduct Scheme effective for ACM from 1 January 2019.
<b>Post Implementation Review</b>			
Due Date			February 2020