

Children and Young Person's Protection

Statement of Commitment

Western Edge Youth Arts (WEYA) supports, mentors and trains emerging artists, particularly those who experience structural disadvantage, to become cultural leaders in their own communities and beyond. As an organisation we recognise the increased structural disadvantage of Aboriginal and Torres Strait Islander children and young people, children and young people from culturally and linguistically diverse backgrounds, children living with a disability, LGBTQIA+, and children who are experiencing housing instability. WEYA strives to maintain a culturally safe space for *Children and Young Persons*, we respect diversity in cultures and child rearing practices while keeping *Children and Young Persons* safety paramount.

WEYA's artistic program is shaped by engagement, collaboration and partnering with communities, schools and young people. Throughout this engagement, our teaching staff create safe learning and creative spaces for *Children and Young Persons* and we actively value and empower *Children and Young Persons* to participate in decisions which affect their lives. We also value the input of and our communications with all our participants, their families and carers.

WEYA has zero tolerance for child abuse. All staff, Board and volunteers, have responsibility for ensuring the care and protection of children and reporting of information about *Child Abuse*.

With this statement of commitment, WEYA's, Children and Young Persons Protection Policy, and Code of Conduct we are taking a preventative, proactive and participatory approach to the safety of *Children and Young Persons* within our programs.

Children and Young Persons Protection Policy

Scope

Everyone at Western Edge Youth Arts are responsible for the care and protection of *Children and Young Persons* and reporting information about child abuse. The *Children and Young Persons Protection Policy* covers board members, employees, contractors, interns, parents, guardians and volunteers.

Definitions

WEYA Members are all registered WEYA personnel (board members, employees, interns, contractors and volunteers)

Child is a person under the age of 18

Young Person is a person aged 18 to 25

Participant any person/s aged between 12 and 25 years of age who take part in WEYA programs.

Child Protection describes the responsibilities and actions organisations and individuals take to prevent or stop *Children and Young Persons* being harmed or abused.

Child Abuse is the intentional harm or failure to prevent harm of *Children and Young Persons*. *Child Abuse* can be physical, emotional and/or sexual, and may include neglect and harassing behaviours like bullying. (Refer to guidelines for a more comprehensive description of each).

Reasonable Belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into consideration. See more on reasonable belief below.

Policy Objectives

- To ensure a safe and protective environment for all participants whilst in the care of our organisation.
- To protect *Children and Young Persons* from harm caused by physical abuse, emotional abuse, sexual abuse or misconduct, bullying or neglect within WEYA.
- To raise organisation awareness of the issue of *Child Abuse* and minimise the risks to the safety of *Children and Young Persons*.
- To ensure everyone within WEYA understands their responsibilities with regard to *Child Abuse*.
- To provide clear guidelines, suitable education and support as required for WEYA Members so that they are able to recognise and respond appropriately to *Child Abuse*.
- To enable WEYA Members to feel safe and empowered to prevent the abuse of *Children and Young Persons*.
- To provide assurance that all allegations of abuse will be reported to the appropriate authorities as outlined in Victoria's Child Safety Standards.
- To document a clear position to board members, employees, contractors, interns, volunteers, and parents that WEYA has a zero tolerance for *child abuse*.
- To ensure that the most appropriate people are employed within WEYA.

Implementation Procedures

1. Responsibilities

- 1.1 The Board of Western Edge Youth Arts has overall responsibilities for identifying and preventing child abuse and providing appropriate policies and procedures for WEYA staff, contractors, interns and volunteers.
- 1.2 The Board Executive (Chair, Vice Chair and Treasurer) are responsible for;
 - 1.2.1 Processing and investigating reports of child abuse
- 1.3 The General Manager and Artistic Director are responsible for;
 - 1.3.1 Ensuring all staff, contractors, interns and volunteers are aware of relevant laws, and their obligation to comply with all policies and procedures and the WEYA Code of Conduct, specifically in relation to child protection.
 - 1.3.2 Providing support to all staff, contractors and volunteers in their responsibilities to child protection.
 - 1.3.3 Keeping a register of all WEYA members Working With Children Checks and copies of cards on file.
- 1.4 All staff, contractors, board members and volunteers must;
 - 1.4.1 Promote *Children and Young Persons* protection always
 - 1.4.2 Be aware of the risks under their control and remove or minimise these where possible
 - 1.4.3 Report suspicious behaviour or suspected abuse
- 1.5 Everyone must play a part in the prevention and detection of child abuse by;
 - 1.5.1 Understanding the relevant laws, code of conduct, WEYA's *Children and Young Persons Protection Policy*, and comply with these.
 - 1.5.2 Report any reasonable belief that a child's safety is at risk to the relevant authorities, police or child protection services.
 - 1.5.3 Report any reasonable belief that a child's safety is at risk to their supervisor or responsible person in the organisation
 - 1.5.4 Contribute to an environment that is a safe and protective space for all children and young people.

2. Code of Conduct

- 2.1 The WEYA's *Code of Conduct* for WEYA members includes the appropriate behaviours and boundaries for all persons involved in WEYA with relation to children and young persons with whom we work.
- 2.2 A breach of the Code may result in termination.
- 2.3 All WEYA members will be expected to sign off on the Code of Conduct and adhere to the Code.

3. Recruitment and Selection of WEYA Members

- 3.1 All prospective and current staff will be screened and monitored to ensure WEYA does not employ or retain people who pose a risk to children. When recruiting WEYA

Members, WEYA must make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child connected work:

- 3.1.1 Interview Process and matrix
 - 3.1.2 Working with Children Check status,
 - 3.1.3 Police Check;
 - 3.1.4 proof of personal identity and any professional or other qualifications;
 - 3.1.5 the person's history of work involving children; and
 - 3.1.6 references that address the person's suitability for the job and working with children.
- 3.2 WEYA will endeavour to identify and employ the most suitable and safest people who share our values and commitment to protecting *Children and Young Persons*.
- 3.3 Upon Recruitment, the applicant for positions at WEYA will be provided with access to the organisation's *Children and Young Persons Protection Policy* and *Code of Conduct*. Prior
- 3.4 All successful applicants will be required to sign on to the WEYA *Code of Conduct* prior to commencing employment or at commencement of this Policy.
- 3.5 All WEYA members must have a valid Victorian Working With Children Check with WEYA records.

4. Education/Information

- 4.1 WEYA will ensure that participants and their parents/guardians are aware of the risks, preventions and reporting procedures by developing communications as required.
- 4.2 All WEYA Members will be required to undertake Child Protection training, in which they are trained to understand and implement WEYA's *Children and Young Person's Protection Policy*.
- 4.3 WEYA will provide WEYA Members with ongoing education and/or information about Child Protection guidelines and responding to complaints, allegations and disclosures to understand the nature and signs of child abuse.

5. Use of children's images

- 5.1 WEYA will require all contractors, before engaging them to take photos and film of children for work related purposes, to agree to ensuring photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be perceived as sexually suggestive.
- 5.2 WEYA will obtain written consent from children and/or their parent or carer for photographs and/or video to be taken of the child, WEYA must also obtain consent to share those images or video recordings online.
- 5.3 WEYA will ensure the identities of children (aged under 18 years) in photographic and electronic images are not disclosed.
- 5.4 WEYA will ensure files are stored securely and access is limited on a needs basis to relevant staff.

6. Responding and Reporting Process

- 6.1 The reporting of and responding to allegations of known or suspected Child Abuse will be made in accordance with the Victorian Child Protection Policy.

6.1.1 All WEYA members will report child safety concerns in the event of:

- the disclosure of abuse or harm
- a reasonable belief that abuse or harm is occurring or the child may be at risk
- a breach of Code of Conduct
- environmental safety issues

6.1.2 Before reporting, the WEYA member will ensure the child's immediate safety by reducing or removing the risk if possible. Call 000 if there is immediate danger.

6.1.3 WEYA members will report to their direct supervisor or the Child Safe Officer.

6.1.4 The direct Supervisor or Child Safety Officer will:

- offer support to the child, the parents, the person who reports and the accused staff member or volunteer
- clarify the nature of the complaint and commence disciplinary process (if required)
- decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make report as soon as possible if required.

6.1.5 The incident, investigation and outcomes must be documented. Relevant WEYA members, participants and parents/carers should be notified of the outcome.

6.1.6 If the person reporting the incident doesn't think the matter is being appropriately addressed, the matter should be reported to the next highest level of supervision.

6.2 WEYA will provide information and/or guidelines to all WEYA Members, parents and guardians in relation to the reporting of suspected or known *Child Abuse* on WEYA's website and during workshop enrolment processes.

6.3 WEYA will ensure that all concerns, disclosures or allegations of suspected or known *Child Abuse* will be acted upon promptly, treated seriously and dealt with in a sensitive manner with regards to the law and privacy.

6.4 Throughout the reporting process WEYA, will ensure that confidentiality will be maintained for all parties involved and information will only be shared on a 'need to know basis' or when required by law.

7. Responding to Child Abuse Allegations

7.1 The following responding and investigating guidelines will be followed regardless of who is making the allegations.

7.2 In the circumstances where a WEYA member is alleged to having committed *Child Abuse* or having breached the *Code of Conduct* they may be asked to stand down while an investigation is undertaken.

7.3 If after an internal investigation the person is found (on the balance of probabilities) to have committed an offence (or a breach of WEYA's policy or *Code of Conduct*), then disciplinary action may follow, including dismissal and/or cessation of involvement with WEYA. These findings will also be reported to authorities.

7.4 The privacy of the individuals involved in any investigation will be respected unless there is risk to someone's safety.

8. Investigating

8.1 If child protection services or the police conduct an investigation following a report, all WEYA members must co-operate fully with the investigation.

8.2 Regardless of whether the authorities conduct an investigation, the Board Executive or Management will consult with authorities to decide if an internal investigation is appropriate. If an internal investigation is undertaken (providing it doesn't interfere with the authority's investigation), all WEYA members must co-operate fully with the investigation.

8.3 The Board Executive will conduct the investigation in a fair and reasonable manner, taking steps to keep the investigation confidential, with the exception of where other members of staff need to be consulted during the investigation.

8.4 If the Board Executive determine that the alleged abuse warrants further investigation, this will be undertaken involving the appropriate authorities, and legal representatives, as required.

9. Risk Management

9.1 WEYA's Board will ensure that child protection is monitored as part of its overall risk management procedures.

9.2 The Governance sub-committee of WEYA's Board will receive regular updates and training in relation to child safety when required.

9.3 High risk situations including, tours or late night rehearsals will be assessed by the management and staff and reported to the Governance sub-committee ahead of occurring.

9.4 The implementation of the WEYA *Children and Young Persons Protection Policy* will be monitored by the General Manager and reported to the Board.

9.5 This policy will be reviewed every two years, and after any incident to monitor its effectiveness in providing protection to children within WEYA's care.

Other related WEYA policies

1. Privacy Policy
2. Risk Management Policy
3. Staff Recruitment/Induction Policy

Other Links and References

1. Convention on the Rights of the Child (United Nations, Article 1)

2. The Children, Youth and Families Act 2005 (Vic)
3. Child Wellbeing and Safety Amendment Act 2015 (Vic)
4. Crimes Act (Vic)
5. DFAT Child Protection Policy 2017
6. Information Privacy Act 2000
7. WEYA HR Policy
8. WEYA Code of Conduct

Policy Owner: General Manager

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