


CHILD PROTECTION POLICY AND PROCEDURES

**Standards and Recommendations
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Authorisation

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Signature	
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Introduction

Ausdance NSW is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone working at Ausdance NSW is responsible for the care and protection of children and reporting information about child abuse.

Purpose

This policy and procedures outline the legislative and policy and action requirements for Ausdance NSW in ensuring children who interact with Ausdance NSW are protected and their safety is prioritised in all activities.

The purpose of this policy is

1. To facilitate the prevention of child abuse occurring within Ausdance NSW.
2. To work towards an organisational culture of child safety.
3. To prevent child abuse within Ausdance NSW.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
7. To provide assurance that all suspected abuse will be reported and fully investigated.

Background

If interacting with children, NSW organisations are required by legislation to meet Child Safety Standards.

- **Standard 1:** Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- **Standard 2:** Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
- **Standard 3:** Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
- **Standard 4:** Families and communities are informed and involved in promoting child safety and wellbeing.
- **Standard 5:** Equity is upheld, and diverse needs respected in policy and practice.
- **Standard 6:** People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- **Standard 7:** Processes for complaints and concerns are child focused.
- **Standard 8:** Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
- **Standard 9:** Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- **Standard 10:** Implementation of the Child Safe Standards is regularly reviewed and improved.
- **Standard 11:** Policies and procedures document how the organisation is safe for children and young people.

Application of each standard must reflect these key principles:

- Promoting the cultural safety of Aboriginal children
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- Promoting the safety of children with a disability

Organisations engaging with children must:

1. Ensure we have policies that address each of the Child Safety Standards.
2. Ensure we publish a Policy Statement or Commitment to Child Safety Statement at locations where we interact with children to alert visitors to your policies/procedures and how they can gain access to them.

Resources:

<https://ausdance.org.au/publications/details/safe-dance-factsheets>

[Ausdance Safe Dance Practice](#)

[Ausdance Effective Dance Teaching Methods](#)

[National Principles for Child Safe Organisations](#)

[Keeping our Kids Safe: Understanding Cultural Safety in Child Safe Organisations video](#)

[Ausdance Child safe dance practice](#)

Policy

Ausdance NSW is committed to promoting and protecting the best interests of children involved in its programs.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

Ausdance NSW has zero tolerance for child abuse. Everyone working at Ausdance NSW is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

Child protection is a shared responsibility between the Ausdance NSW, all employees, workers, contractors, associates, and members of the Ausdance NSW community.

Ausdance NSW will consider the opinions of children and use their opinions to develop child protection policies.

Ausdance NSW supports and respects all children, staff and volunteers. Ausdance NSW is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

If any person believes a child is in immediate risk of abuse, telephone 000.

Procedures

Definitions

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

Reasonable grounds for belief is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) the child is in need of protection,
- (b) the child has suffered or is likely to suffer “significant harm as a result of physical injury,” or
- (c) the parents are unable or unwilling to protect the child.

A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation.

A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a ‘reasonable belief’ might be formed if:

- a) a child states that they have been physically or sexually abused;
- b) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) someone who knows a child states that the child has been physically or sexually abused;
- d) professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

Responsibilities

The Board/Management Committee of Ausdance NSW has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Board/Management Committee is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The Executive Director of Ausdance NSW is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation’s Code of Conduct;

- Ensuring that all adults within the Ausdance NSW community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All staff must ensure they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Staff should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All staff/volunteers/contractors share the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and Ausdance NSW 's policy and procedures in relation to child protection, and comply with all requirements;
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical safety.

Employment of New Personnel

Ausdance NSW undertakes a comprehensive recruitment and screening process for all workers and volunteers that aims to:

- promote and protect the safety of all children under the care of the organisation;
- identify the safest and most suitable people who share Ausdance NSW's values and commitment to protect children; and
- prevent a person from working at Ausdance NSW if they pose a risk to children.

Ausdance NSW requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with Ausdance NSW.

Ausdance NSW may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at Ausdance NSW and during their time with Ausdance NSW at regular intervals.

Ausdance NSW will undertake thorough reference checks as per the approved internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

Risk Management

Ausdance NSW will ensure that child safety is a part of its overall risk management approach. Ausdance NSW will have a risk and compliance sub-committee committed to identifying and managing risks at Ausdance NSW. Risk and compliance sub-committee members will receive regular training in relation to child safety.

Reporting

Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police.

They should also advise their supervisor about their concern.

In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the Executive Director and also to any external regulatory body such as the police.

If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must co-operate fully with the investigation. Whether or not the authorities decide to conduct an investigation, the CEO will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the CEO may decide to conduct such an investigation.

All employees, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice. The CEO will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the CEO shall coordinate the investigation with the

appropriate investigators and/or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

Responding

If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Ausdance NSW will have safeguards and practices in place to ensure any personal information is protected.

Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

Reviewing

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

Related Documents

This policy must be read in conjunction with:

- The law of the Commonwealth or of the relevant state or territory;
- The organisation's Code of Conduct;
- Termination of Employment Policy and Misconduct Procedures.

Code of Conduct

Management, staff, volunteers and contractors at Ausdance NSW are required to abide by this Code.

Under the Executive Director, management will:

1. Be responsible for the overall welfare and wellbeing of staff and volunteers;
2. Be accountable for managing and maintaining a duty of care towards staff and volunteers; and
3. Nominate a Child Protection Officer to provide information and support to all staff, volunteers, children, young people and their carers regarding child protection matters.

All people involved in the care of children on behalf of Ausdance NSW will:

1. Work towards the achievement of the aims and purposes of the organisation;
2. Be responsible for relevant administration of programs and activities in their area;
3. Maintain a duty of care towards others involved in these programs and activities;
4. Establish and maintain a child-safe environment in the course of their work;
5. Be fair, considerate and honest with others;
6. Treat children and young people with respect and value their ideas and opinions;
7. Act as positive role models in their conduct with children and young people.
8. Be professional in their actions;
9. Maintain strict impartiality;
10. Comply with specific organisational guidelines on physical contact with children;
11. Respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know;
12. Maintain a child-safe environment for children and young people;
13. Operate within the policies and guidelines of Ausdance NSW; and
14. Contact the police if a child is at immediate risk of abuse, phone 000.

No person shall:

1. Shame, humiliate, oppress, belittle or degrade children or young people;
2. Unlawfully discriminate against any child;
3. Engage in any activity with a child or young person that is likely to physically or emotionally harm them;
4. Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves;
5. Be alone with a child or young person unnecessarily and for more than a very short time;
6. Develop a 'special' relationship with a specific child or young person for their own needs;
7. Show favouritism through the provision of gifts or inappropriate attention;
8. Arrange contact, including online contact, with children or young people outside of the organisation's programs and activities;
9. Photograph or video a child or young person without the consent of the child and his/her parents or guardians;
10. Work with children or young people while under the influence of alcohol or illegal drugs;
11. Engage in open discussions of a mature or adult nature in the presence of children;
12. Use inappropriate language in the presence of children; or
13. Do anything in contravention of the organisation's policies, procedures or this Code of Conduct.

What happens if you breach this Code of Conduct

If you breach this Code of Conduct you will face disciplinary action, including and up to termination of employment or cessation of engagement with the organisation.