

ST MARTINS YOUTH ARTS CENTRE

we make work with and by children for adult audiences

Child Safe policy

Introduction

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

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

Purpose

The purpose of this policy is

1. To have an organisational culture of child safety.
2. To proactively prevent child abuse within St Martins
3. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing procedures for preventing such abuse and/or detecting such abuse when it occurs.
4. 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.
5. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
6. To provide assurance that any and all suspected abuse will be reported to the relevant authorities as outlined in Victoria's Child Safety Standards.

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. It includes child grooming, which refers to actions deliberately undertaken with the aim of lowering the child's inhibitions in preparation for sexual activity with the child.

Core Staff means someone on payroll (as at January 2017 this includes Artistic Director, Executive Director, Artistic Associate, Workshops Coordinator and Access Officer), as opposed to a Teaching Artist or other regular contractor.

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.

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Reasonable grounds for 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 account and these are objectively assessed.

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”,
- (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.

Policy

St Martins is committed at all times 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. The Child Safety Standards recognises the increased vulnerabilities of Aboriginal children, children from culturally and linguistically diverse backgrounds, children living with a disability, children who are LGBTQ+ and children who are living in care or homeless. St Martins acknowledges the extra barriers that are faced by children who may be from these backgrounds. St Martins is a culturally safe place for all children.

St Martins has zero tolerance for child abuse of any kind. Everyone (employees, contractors, associates and family members) at St Martins is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

St Martins supports and respects all children, staff and volunteers. We actively seek children’s views on what we do and act upon any concerns raised.

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Responsibilities

The **Board** of St Martins 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 is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The **Executive Team (CEOs)** of St Martins are 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 St Martins 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** (administrative, production and Teaching Artists) must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible; and
- Report inappropriate behaviour or suspected abusive activities.

Everyone shares in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and St Martins' 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). Under Victorian law, any person who fails to protect a child from abuse is liable for prosecution.
- 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.

Procedures

Employment of New Personnel

St Martins undertakes a comprehensive recruitment and screening process for all workers and volunteers which 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 St Martins's values and commitment to protect children; and
- Prevent a person from working at St Martins if they pose a risk to children.

St Martins requires all employees and long-term contractors to undertake a Victorian Working With Children's check before they commence working at St Martins and during their time with St Martins at regular intervals. A copy of the Working With Children card is kept on file.

St Martins will undertake thorough reference checks as per the approved internal procedure.

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Once engaged, all staff members, volunteers and contractors must undergo an orientation and updating process in which they are trained to understand and implement the St Martins Child Safe Policy.

All St Martins staff should:

- Be aware of the warning signs and be open to noticing them.
- Understand the organisational protocols and procedures, know them and use them.
- Provide mutual support between staff members.

Risk Management

St Martins will ensure that child safety is a part of its overall risk management approach.

St Martins's Finance, Audit and Risk Board sub-committee is committed to identifying and managing risks at St Martins. Risk and compliance sub-committee members will receive regular training in relation to child safety.

High Risk situations such as one-on-one rehearsals or overnight stays will be individually assessed by the Executive and raised with the Finance, Risk and Audit Committee of the Board ahead of being undertaken. Protocols will be documented and agreed with participants and their families ahead of time.

Reporting

Any staff member, volunteer or contractor who has strong 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 a member of the Executive Team and also to the police.

Parents and families will be encouraged to contact St Martins Executive staff immediately should they believe any inappropriate activities have taken place or they suspect abuse. Information will be provided on St Martins' website with guidance to this effect.

The following Investigating and Responding guidelines will followed regardless of who reports the allegations.

Investigating

If the appropriate child protection service or the police decide to conduct an investigation of this report, all employees, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the Executive team 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 Executive Team may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

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Any such investigation will be conducted in a fair and reasonable manner. The Executive Team 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 Executive Team 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, 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

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

Everyone is entitled to know how their personal information is recorded, what will be done with it, and who will be able to access it. Please see St Martins' privacy policy for more details.

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

- [Privacy Policy](#)
- [Legislative Compliance Policy](#)
- [Risk Management Policy](#)
- [Staff Recruitment Policy](#)
- [Staff Induction Policy](#)
- 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.