

CHILD SAFETY AND WELLBEING POLICY



1 PURPOSE

Our commitment to child safety and wellbeing

1.1 All children who visit Mosman Dance Academy (the Organisation) have a right to feel and be safe. We are committed to promoting and maintaining a culture that does not permit or tolerate child abuse, neglect, or exploitation.

1.2 Our priority is to ensure the welfare and safety of every child that has contact with our customers, team members, volunteers, and contractors.

1.3 We are committed to the cultural safety of First Nations children, children from culturally and linguistically diverse backgrounds, LGBTQIA+ children, children with disability, and their families.

Children's rights to safety and participation

1.4 Team members and volunteers encourage children to express their views. We listen to their suggestions, especially on matters that directly affect them.

1.5 We actively encourage all children who use our services to 'have a say' about things that are important to them.

1.6 We listen to, and act on, any concerns children or their family/carers raise with us.

2 SCOPE

2.1 This policy applies to every person undertaking work for the Organisation, including owners, team members, volunteers, contractors, and consultants.

3 GLOSSARY

3.1 A glossary of terms can be found in Appendix 1 of this policy.

4 ABOUT THIS POLICY

4.1 This policy has been developed to give effect to the National Principles for Child Safe Organisations and our child safe obligations in the jurisdiction where we operate.

4.2 This policy demonstrates our commitment to child safety and informs our owners, team members, contractors, and volunteers of their obligations to act ethically towards children, and their responsibilities in ensuring the safety and wellbeing of children.

4.3 This policy gives guidance on the processes and procedures that aim to ensure child safety and wellbeing across all areas of the Organisation.

4.4 Our child safety and wellbeing policy is guided by the following principles:

4.4.1 Recognise children's rights and interests.

4.4.2 Build and maintain a child safe culture and environment

4.4.3 Ensure all team members are aware of, and comply with, relevant child safety requirements.

4.4.4 Provide support and protection to team members and volunteers who report incidents under this policy.

4.6 This policy is published on the organisation's public website:

<https://www.mosmandanceacademy.com.au>

5 BREACHES OF THIS POLICY

5.1 All team members, contractors and volunteers are required to adhere to their responsibilities regarding the application of this policy.

5.2 Failure to adhere to any aspect of this policy may constitute a breach of the policy and may result in disciplinary action that could include termination of employment or engagement.

6 CHILD SAFE STANDARDS

National Principles for Child Safe Organisations

6.1 In response to recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse, Australia's National Children's Commissioner led the development of the National Principles for Child Safe Organisations.

6.2 There are 10 principles aimed to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing.

6.3 Refer to Appendix 2 of this policy for The National Principles for Child Safe Organisations.

New South Wales Child Safe Standards

6.4 The National Principles for Child Safe Organisations have been accepted by the NSW government and embedded into the *Children's Guardian Act 2019* through *Children's Guardian Amendment (Child Safe Scheme) Bill 2021* as the New South Wales Child Safe Standards.

6.5 Refer to Appendix 3 of this policy for the New South Wales Child Safe Standards.

7 CHILD SAFETY CODE OF CONDUCT

7.1 The Organisation has a *Child Safe Code of Conduct* ("the Code") that confirms standards of professionalism, confidentiality, and ethical behaviour expected by our team members, contractors, and volunteers. The Code informs children, families, and the community of the standard of professional conduct they can expect from us.

7.2 The Code is published on the Organisation's public website:

<https://www.mosmandanceacademy.com.au>

7.3 Team members and volunteers are required to read and acknowledge the Code of Conduct and are expected to treat all children with respect by acting in accordance with the code at all times.

8 VALUING DIVERSITY

8.1 The Organisation values diversity. We do not tolerate any discriminatory practices. To achieve this, we:

8.1.1 Support the cultural safety, participation, and empowerment of First Nations children and their families/carers.

8.1.2 Support the cultural safety, participation, and empowerment of children from culturally and linguistically diverse backgrounds and their families/carers.

8.1.3 Welcome children with disability and their families/carers and act to promote their participation.

8.1.4 Seek to recruit appropriate candidates from culturally and linguistically diverse backgrounds, LGBTQIA+ people, First Nations people, and people with disability.

8.1.5 Welcome same sex attracted, transgender, intersex and gender diverse children and families/carers.

8.1.6 Have a physical environment that actively celebrates diverse cultures and recognises cultural difference.

8.1.7 Commit to ensuring our venues promote inclusion of children of all abilities.

8.1.8 Ensure team members and volunteers receive training on diversity and inclusion.

8.1.9 Ensure all team members, contractors and volunteers adhere to the Organisation's *Equal Opportunity, Anti-Discrimination, Diversity, Harassment and Bullying Policy*.

9 ACCOUNTABILITY AND RESPONSIBILITY

9.1 Ensuring the safety, welfare and wellbeing of children is the responsibility of all team members, contractors, and volunteers.

9.2 A table of responsibilities by key positions is listed in Appendix 4 of this policy. This policy:

- aligns with relevant legislation, government policy and/or Mosman Dance Academy requirements/strategies/values
- is implemented and monitored (i.e. the policy is followed, reflects the changing policy environment, and emerging issues are identified), and
- is reviewed to evaluate its continuing effectiveness (e.g. achieving its purpose, remains relevant/current).

10 REGULAR RISK ASSESSMENT AND MITIGATION

10.1 We recognise the importance of a risk management approach to minimising the potential for child abuse or harm to occur and to inform our policy, procedures, and activity planning. In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

10.2 The Organisation will undertake an biennial risk assessment in relation to child safety activities, to identify the level of responsibility for, and contact with, children and young people, evaluate the risk of harm or abuse, and put in place appropriate strategies to manage identified risks.

10.3 Leaders will ensure child safety/protection is considered when developing their own risk plans and managed in accordance with the Organisation's risk management practices.

11 WORKING SAFELY WITH CHILDREN

Assessment of child safe roles

11.1 The Organisation's management is responsible for assessing which roles are classified as *child safe* positions in the jurisdictions where we operate and record child safe requirements on relevant position descriptions.

Job advertising and recruitment of a child safe position

11.2 We acknowledge that child safe recruitment practises facilitate hiring child safe candidates and deter applications from individuals who may seek to abuse or harm children.

11.3 We state our commitment to being a child safe organisation in job advertisements for child safe positions. We state that successful candidates must obtain and maintain the relevant working with children check in their jurisdiction.

11.4 Applicants for child safe positions can access our *Child Safe Statement*, *Child Safe Code of Conduct*, and *Child Safety & Wellbeing Policy* from links in job advertisements.

11.5 Position descriptions for child safe positions state child safety responsibilities and working with children check requirements. Position descriptions are linked to job advertisements for child safe roles.

11.6 Reference checks must be undertaken for all prospective team members and include questions related to an applicant's suitability for child related work for child safe positions.

Working with children checks

11.7 Team members are required to read and acknowledge this policy as a condition of employment.

11.8 This policy covers other important matters related to working safely with young children such as:

11.8.1 Recruitment of an under 18-year-old to a child safe position.

11.8.2 Hiring a new team member into a child safe position.

11.8.3 Working with children checks maintenance and monitoring.

11.8.4 Re-hiring a team member within 12 months.

12 REPORTING SUSPICIONS OF CHILD ABUSE OR HARM

12.1 If you believe a child is in immediate danger or there is another emergency, please call 000 immediately.

12.2 A parent, child, team member, contractor or volunteer could have their suspicions or concerns for the safety of a child raised in several ways, such as:

12.2.1 A child discloses abuse.

12.2.2 Seeing the abuse occur; this may be by a family member, team member or another child.

12.2.3 Noticing signs and symptoms of mistreatment, including neglect.

12.2.4 Physical signs: bruising or evidence of physical hurt which may or may not be accompanied by unusual behaviour by the child.

Behaviours that constitute child abuse

12.3 Appendix 5 lists unacceptable behaviours (misconduct) and concerning behaviours as they relate to different forms of child abuse.

Incident reporting

12.4 Suspicions of child abuse or harm of a specific child should be reported immediately to management.

12.5 The incident must be confirmed in writing within 24 hours.

12.6 The process flowchart for reporting suspicions of child abuse or harm is outlined in Appendix 6 of this policy.

12.7 A delay in incident reporting could prejudice the welfare of a child. If the concerns relate to the conduct of a team member, contractor, or volunteer, these should be reported by telephone to management at the earliest opportunity.

Incident investigation

12.8 Management will consider the report and either:

12.8.1 Refer this immediately to the authorities, after taking appropriate advice (which may include discussing the circumstances on a confidential basis with the appropriate government department); or

12.8.2 Decide not to refer the concerns to the authorities but keep a full record of the concerns, lines of investigation, meeting notes and any corrective action/disciplinary action taken.

Responding to complaints or disclosures about a team member, contractor, or volunteer

12.9 Allegations of harm to a child, against a team member, contractor, or volunteer will be fully investigated.

12.10 The individual will be asked to step aside while the matter is investigated and all information in relation to the matter will be kept strictly confidential to protect all parties involved while the investigation is being conducted.

12.11 Matters that require disciplinary measures following an investigation will be dealt with by the Organisation in conjunction with the relevant authorities where applicable.

12.12 Any proven misconduct will be dealt with swiftly and harshly by the Organisation.

Reportable conduct schemes

12.13 The Organisation has committed to be a child safe organisation that complies with all relevant legislation, including Reportable Conduct Schemes in the jurisdictions we operate in.

12.14 Reportable Conduct Schemes provide independent oversight of the handling of allegations of child abuse and neglect perpetrated by a person with an organisation. i.e., team member, volunteer, or contractor.

12.15 Reportable conduct generally includes sexual offenses or sexual misconduct, assault, ill-treatment or neglect of a child or young person, or any behaviour that causes psychological or emotional harm. It also includes offenses relating to a failure to report, reduce or remove a risk of child abuse.

12.16 Reportable Conduct Schemes operate in New South Wales
<https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme>

Responding appropriately to a child making a disclosure

12.17 A recurring theme in submissions to the Royal Commission into Institutional Responses to Child Sexual Abuse was that victims of abuse were not believed when they disclosed abuse.

12.18 It is very important to validate a child's disclosure, no matter how you feel about it. This means listening to the child, taking them seriously and responding and acting on the disclosure.

12.19 The following steps are appropriate for responding to a child making a disclosure:

12.19.1 Stay calm.

12.19.2 Listen carefully to what is said. Give the child your full attention.

12.19.3 Reassure the child that they have done the right thing in telling you.

12.19.4 When appropriate and possible, tell the child that the matter will only be disclosed to those who need to know about it and reassure them that you will not be speaking with the perpetrator about it.

12.19.5 Allow the child to continue at their own pace. Ask questions for clarification only, avoid asking questions that suggest a particular answer.

12.19.6 Do not share personal stories about yourself or others with the child.

12.19.7 Tell the child what you will do next, and with whom the information will be shared.

12.19.8 Praise the child for helping the Organisation become safer for children.

12.19.9 Contact the child's parents/carers to let them know (other than if the disclosure related to abuse within the family).

12.19.10 Assist the child and their family to access appropriate support for the child, such as counselling where appropriate.

12.19.11 Record what was said in the incident report, using the child's own words, as soon as possible; note the date, time, any names mentioned, and to whom the information was given.

12.19.12 It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional child protection agencies, following a referral from the Organisation.

Record keeping and confidentiality

12.20 Records relating to child safety complaints, disclosures or breaches of this policy and related child safety policies including the code of conduct, must be recorded, and stored securely in accordance with security and privacy requirements.

12.21 Records must be kept for actions taken, any internal investigations and any reports made to statutory authorities or professional bodies in relation to a child safe incident.

12.22 Privacy must be ensured when handling matters of suspected child abuse/harm. Ensure that only those who need to know are advised.

12.23 To avoid confusion and maintain confidentiality, everyone, including children, should be made aware of the need to report serious matters involving child protection to external authorities. Confidentiality cannot be promised in these matters.

13 MANDATORY REPORTING

13.1 Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.

13.2 Each state and territory has legislation about mandatory reporting. Mandatory reporting requirements can be found online via the link below and in Appendix 7 of this policy.

13.3 All team members that undertake child related work (and their managers or supervisors) have a responsibility to familiarise themselves with the mandatory reporting

requirements in the state or territory in which they undertake their work and comply with these legislative requirements.

14 RELEVANT LEGISLATION AND STANDARDS

14.1 A range of laws are relevant to this policy, including Commonwealth, international, state, and territory laws. Appendix 8 of this policy lists relevant laws that apply.

15 FEEDBACK

15.1 Mosman Dance Academy staff may provide feedback about this document by emailing info@mosmandanceacademy.com.au.

16. APPROVAL AND REVIEW DETAILS

Effective date: 01/07/2020

Review Date: 01/07/2024

Next review date: 01/07/2026

Policy owner: Mosman Dance Academy Pty Ltd, Director Adam McDougall

Policy owner contact details: adam@mosmandanceacademy.com.au

Amendment history: V1.0 01/07/2020, V2.0 01/07/2022, V3.0 01/07/2024.

APPENDIX 1 – GLOSSARY OF TERMS

Child or children	In Accordance with the United Nations Convention on the Rights of the Child, child means any human under the age of 18 years.
Child exploitation	One or more of the following: <ol style="list-style-type: none"> 1. a) committing or coercing another person to commit an act or acts of abuse against a child 2. b) possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material 3. c) committing or coercing another person to commit an act or acts of grooming or online grooming 4. d) using a minor for profit, labour, sexual gratification, or some other form of personal or financial advantage.
Child protection	An activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse.
Child-related work	Means being engaged in: <ol style="list-style-type: none"> a) work activities where contact (physical, face-to-face, oral, written or electronic contact) between a team member and a child would reasonably be expected as a normal part of the work and such contact is not occasional and incidental to the work, or b) work that requires a Working with Children Check (WWCC) in the state or territory jurisdiction in which the work is being undertaken.
Child safe position	A position that has been identified as having contact with a child as a normal part of work activities (that is, <i>child-related work</i>), and therefore is required to obtain and maintain a Working with Children Check in order to be engaged in that position.
Contractor	Individuals performing a service for the organisation, or an employee of a service provider performing a service for the organisation, is a contractor.
Sexual abuse	The use of a child for sexual gratification by an older or significantly older child, adolescent, or adult.
Team members	Team members are either employed by an organisation, engaged by an organisation on a subcontract basis, or engaged by an organisation on a voluntary or unpaid

	basis, staff can include paid staff, volunteers, interns, trainees and consultants.
Working with Children	Being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. This includes volunteering or other unpaid work.
Working with Children Check	An assessment of whether a person poses an unacceptable risk to children. As part of this process, the applicant's criminal history, child protection information and other information is checked. A Working with Children Check may also be known under other names, such as a Working with Vulnerable People Check, a Blue Card, Working with Children Clearance, Ochre Card, etc.

APPENDIX 2 – NATIONAL PRINCIPLES FOR CHILD SAFE ORGANISATIONS

National Principle	Requirement
National Principle 1	Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
National Principle 2	Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
National Principle 3	Families and communities are informed and involved in promoting child safety and wellbeing.
National Principle 4	Equity is upheld and diverse needs respected in policy and practice.
National Principle 5	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
National Principle 6	Processes to respond to complaints and concerns are child focused.
National Principle 7	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
National Principle 8	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
National Principle 9	Implementation of the national child safe principles is regularly reviewed and improved.
National Principle 10	Policies and procedures document how the organisation is safe for children and young people.

APPENDIX 3 – NEW SOUTH WALES CHILD SAFE STANDARDS

National Principle	Requirement
Child Safe Standard 1	Child safety is embedded in organisational leadership, governance, and culture.
Child Safe Standard 2	Children participate in decisions affecting them and are taken seriously.
Child Safe Standard 3	Families and communities are informed.
Child Safe Standard 4	Equity is upheld and diverse needs are taken into account.
Child Safe Standard 5	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Child Safe Standard 6	Processes to respond to complaints of child abuse are child focused.
Child Safe Standard 7	Staff are equipped with the knowledge, skills and awareness to keep safe through ongoing education and training.
Child Safe Standard 8	Physical and online environments minimise the opportunity for abuse to occur.
Child Safe Standard 9	Implementation of the Child Safe Standards is regularly reviewed and improved.
Child Safe Standard 10	Policies and procedures document how the organisation is safe for children and young people.

APPENDIX 4 – ACCOUNTABILITY AND RESPONSIBILITY MATRIX

Who	Responsibilities
Owners	<ul style="list-style-type: none"> Approve the Child Safety & Wellbeing Policy Provide endorsement, leadership, and resources towards the organisations efforts and initiatives supporting child safety Policy owner
Management	<ul style="list-style-type: none"> Ensures compliance with the National Principles for Child Safe Organisations and our child safe obligations in the jurisdictions where we operate. Provide advice on strategies to mitigate risk to the safety of children and young people Ensure team members have access to and understand, child safe policies and procedures Promote training opportunities for team members Oversee the implementation and review of the Child Safe Policies Oversee the annual review of the organisation's Child Safe Risk Management plan Ensure team members are aware of this policy and their obligations and assist them meet their obligations

All Team Members	<ul style="list-style-type: none"> • Complete Child Safety training as directed • Comply with the Child Safety Code of Professional Conduct • Comply with all relevant requirements of this policy, and related policies, in the course of their work and any work-related functions (e.g. work events where children may be present) • Comply with all requirements or directions given to them by their manager for the implementation of risk controls • Comply with applicable state, territory and Commonwealth legislation • Appropriately report potential risk to child safety including any breaches of this policy • Team members who require a Working with Children or Vulnerable Persons Check (however described) must comply with the appropriate legislative requirements based on the jurisdiction, including reporting a change in circumstances and mandatory reporting requirements.
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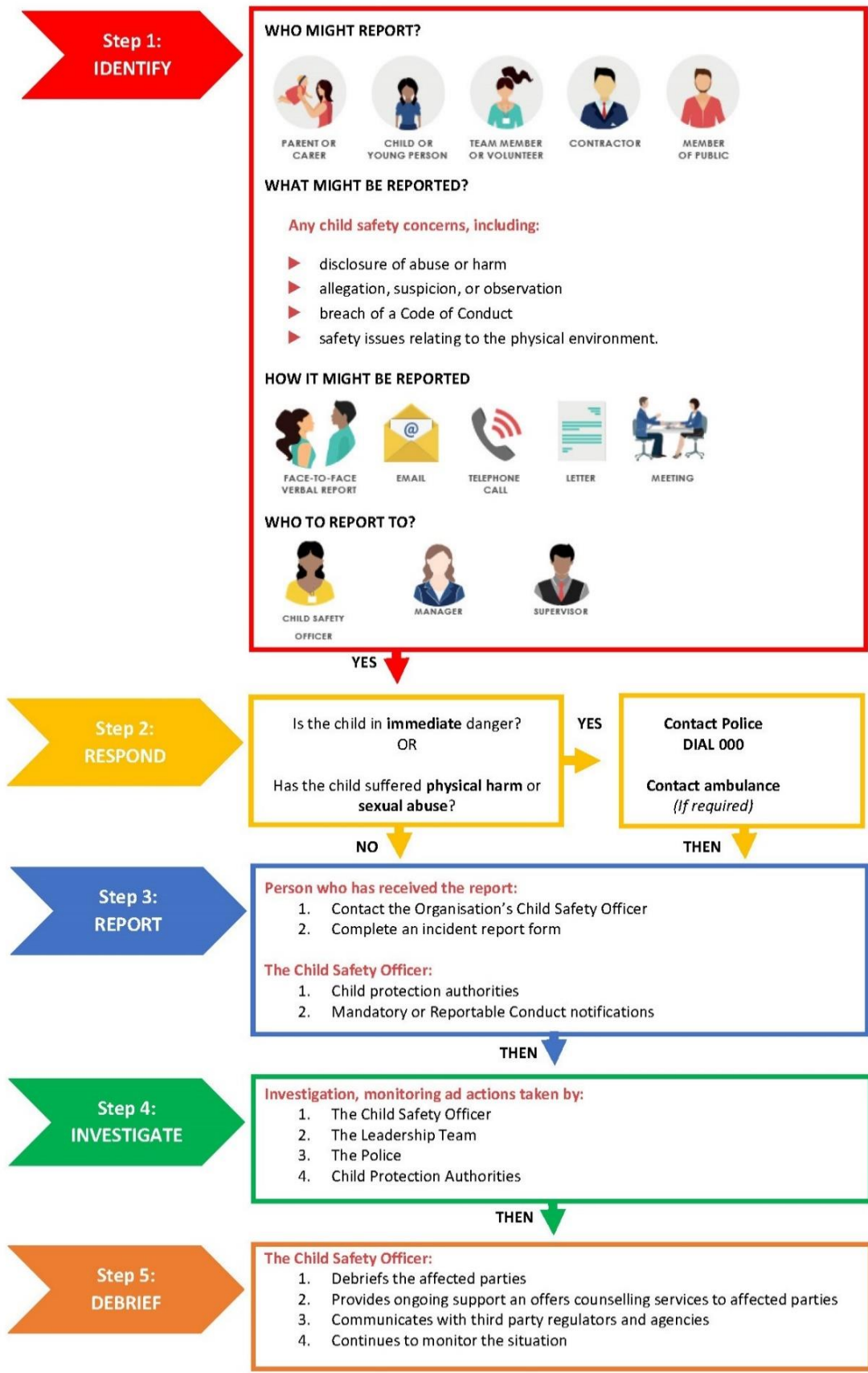
APPENDIX 5 – BEHAVIOURS THAT CONSTITUTE CHILD ABUSE

National Principle	Requirement
General	<ul style="list-style-type: none"> • Condoning or participating in behaviour with a child that is illegal, unsafe or abusive. • Ignoring or disregarding any concerns, suspicions or disclosures of child abuse • Exaggerating or trivialising child abuse issues. • Using hurtful, discriminatory, or offensive behaviour or language with a child. • Failing to report information to police if they know, believe or reasonably ought to know that a child has been abused. • Trivialising the subject of child abuse, such as telling jokes that make light of children being hurt. • Using unacceptable language or telling unacceptable stories or jokes in front of children.
Physical abuse	<ul style="list-style-type: none"> • Hitting, striking, punching, kicking, or slapping a child. • Engaging in rough physical games. • Throwing items or using items to hurt a child. • Dragging or pushing a child. • Threatening to hurt a child through words or gestures, regardless of whether the person intends to apply force. • Using hostile force towards a child and/or a pattern of hostile or unreasonable and seriously inappropriate physical conduct.
Sexual abuse	<ul style="list-style-type: none"> • Sexual touching of a child. • Sexual contact with a child.

	<ul style="list-style-type: none"> • Masturbating in front of a child or exposing genitals. • Possessing or creating child abuse material. • Sharing sexually explicit photos of a child. • Exposing a child to pornography or other indecent material. • Giving a child gifts, food, money, attention or affection in exchange for sexual activities or images. • Not respecting the privacy of a child when they are using the bathroom or changing. • Communicating (including online) with a child about romantic, intimate or sexual feelings for a child. • Using a camera to record a child while they are dressing, bathing or using the bathroom. • Comments that express a desire to act in a sexual manner with a child. • Using sexual language or gestures in the presence of children. • Sexual comments, conversations or communications with a child.
Emotional abuse	<ul style="list-style-type: none"> • Depriving a child of necessities such as food and drink, clothing, critical medical care or treatment, or shelter. • Failing to protect a child from abuse (such as, failing to report abuse when a child discloses it or when a staff member observes it). • Exposing a child to a harmful environment (such as, an environment where there is illicit drug use or illicit drug manufacturing). • Failing to adequately supervise a child, resulting in injury or harm.
Neglect	<ul style="list-style-type: none"> • Depriving a child of necessities such as food and drink, clothing, critical medical care or treatment, or shelter. • Failing to protect a child from abuse (such as, failing to report abuse when a child discloses it or when a staff member observes it). • Exposing a child to a harmful environment (such as, an environment where there is illicit drug use or illicit drug manufacturing). • Failing to adequately supervise a child, resulting in injury or harm.
Ill-treatment	<ul style="list-style-type: none"> • Making excessive and/or degrading demands of a child. • Disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner. • Seriously inappropriate and/or degrading comments or behaviour towards a child. • Repeated hostility towards a child. • Seclusion and other types of restrictive practices. • Locking up a child in a room. • Pushing a child to train or perform when they are injured.
Grooming	<ul style="list-style-type: none"> • Engaging in unauthorised contact with a child online for the purpose of developing a sexual relationship. • Using a computer, mobile phone, camera or other device to exploit or harass a child.

	<ul style="list-style-type: none"> • Unacceptable personal communication that explores sexual feelings or intimate personal feelings with a child. • Sharing details with a child of one's own sexual experiences. • Inappropriately extending a relationship with a child outside of work. • Giving a child special attention or isolating them from peers with the intention of making it easier to access the child for sexual activity. • Offering a child gifts, food, cigarettes, money, attention or affection with the intention of making it easier to access the child for sexual activity. • Making close physical contact, like inappropriate tickling and 'play' wrestling.
Failure to prevent/ report abuse	<ul style="list-style-type: none"> • An obvious or very clearly unreasonable failure to respond to information strongly indicating that another adult working at the organisation poses a serious risk of abusing a child. • Knowing or believing, that a child has been abused and not reporting it to police (or not reporting in circumstances where the person ought reasonably to have known).

APPENDIX 6 – FLOWCHART FOR REPORTING SUSPICIONS OF CHILD ABUSE OR HARM



APPENDIX 7 – MANDATORY REPORTING (NEW SOUTH WALES)

Further information on mandatory reporting	What is to be notified
https://reporter.childstory.nsw.gov.au/s/ Email the NSW Child Story Reporter team at childstory.support@facs.nsw.gov.au Phone: 1300 356 696	Current concerns that a child aged under 16 is at risk of harm

Appendix 8 – Relevant legislation and standards

Several international child protection instruments also apply. Please note this is not an exhaustive list, and other legislation may apply.

Jurisdiction	Name of legislation/standard
Australia	<i>National Principles for Child Safe Organisations Commonwealth Child Safe Framework</i>
New South Wales	<i>Child Protection (Working With Children) Act 2012</i> <i>Children's Guardian Act 2019</i>