

Policy number	2.1	Version	2
Drafted by	Sophie Williams	Approved by Board on	22 March 2022
Responsible person	Sophie Williams	Scheduled review date	March 2023

## Child Safe Policy

### Introduction

The New England Conservatorium of Music has a duty of care to ensure that children are not subject to abuse in education and care settings. Education and care workers play a significant role in the protection of children from abuse and neglect. It is the responsibility of all education and care workers to treat children with dignity and respect, to act with propriety, and to protect children in their care.

This policy has been developed in line with the NSW Office of the Children’s Guardian guidelines for child safe organisations and in line with the relevant legislation regarding child protection.

### Definitions

Throughout this document:

- a. *Abuse*: refers to all aspects of abuse, ie neglect, physical, emotional/psychological, sexual and exploitation
- b. *Children or child*: refers to persons under 16 years of age
- c. *Young persons*: refer to those over 16 years and under 18 years of age
- d. *Parent*: refers to parent, guardian and caregiver
- e. *External organisation*: Refers to any organisation including government and non-government primary school, secondary school or pre-school. External organisations also include tertiary institutions, churches or any other organisation where children are engaged. External organisations are also defined as being beyond the administrative or legal control of NECOM.
- f. *Personnel*: refers to any employed, volunteer or visiting person engaged by NECOM specifically to work with children. Where personnel are specifically related to NECOM they are referred to within this policy as NECOM personnel.

### Purpose

This policy guides workers (paid and volunteer) on how to behave when interacting and engaging with children in our organisation. The policy focuses on how we can build and maintain a Child Safe environment which is inclusive, transparent and promotes children’s participation.

The purpose of this policy is to document NECOM’s practice in:

1. Children’s Participation.
2. Recruitment
3. Complaints Management and Reporting
4. Training and supervision of workers
5. Other legislation, industry standards and internal policies
6. Communication
7. Review

## 1.1 Children's participation

NECOM supports the active participation of children in the programs, activities and services we offer. We provide a range of ways to allow children to provide feedback or raise concerns. We listen to their views, respect what they say and involve them when we make decisions.

## 1.2 Recruitment

NECOM will maintain a rigorous and consistent recruitment, screening and selection process. Upon completion of a successful interview and to ensure that all requirements under the child protection legislation are met, the following steps will be taken in the recruitment process:

### 1.2.1 Advertisement

All job advertisements will include a message about NECTOM's commitment to child safety and reference to NECTOM's code of conduct and child safe policy. The advertisement will inform applicants of the appropriate rigorous reference and background checking that will be undertaken, including a Working with Children Check and identity check.

### 1.2.2 Interviews

The interview process will be designed as open-ended style of behavioural-based questioning to give NECTOM insight into the applicant's values, attitudes and understanding of professional boundaries and accountability involved in the position.

### 1.2.3 Reference checks

Reference checks will be conducted on all preferred applicants. NECTOM will check at least two referees with preference given to recent employers and referees that can provide insights into the applicant's experience working with children.

### 1.2.4 Probation period

All new NECTOM employees will be subject to a probation periods to help assess a new staff member's performance and suitability for the job before confirming their permanent employment. The length of probation periods will be between three and six months. During the probation period, the new employee will receive closer supervision and additional training.

### 1.2.5 Working With Children Check

The preferred applicant will be required to complete a NSW Working with Children Check as per the requirements of the Office of the Children's Guardian. Application and information for the NSW Working with Children Check can be done at the Office of the Children's Guardian website [www.ocg.nsw.gov.au](http://www.ocg.nsw.gov.au). As a paid employee, they must also pay the required fee for a five year clearance. Once the preferred applicant receives a clearance, he or she will be issued with a Working With Children Check number. The preferred applicant must provide this number to NECTOM, along with their surname and date of birth for online verification.

All offers of employment with NECTOM are contingent upon a successful Working with Children Check.

***All current and new employees of NECTOM are responsible for and must have applied for, and provided to NECTOM, their NSW Working With Children Number by 1 March, 2017. A failure to provide the Working With Children Check number by this date will result in immediate suspension of duties without pay until the Working with Children Check has been completed and provided to NECTOM.***

### 1.2.6 Verification of the Preferred Applicant

NECOM will verify the preferred applicant's Working With Children Check status on-line. If the check is successful, then the preferred applicant may be offered a contract of employment.

## 1.3 **Complaints Management and Reporting**

Procedures for reporting when allegations have been made against NCOM staff to NCOM:

- a. Inform the Business Director/Co-CEO (or Board Chair if the allegation relates to the Business Director/Co-CEO)
- b. In accordance with legislation, the Business Director/Co-CEO will report any allegation of child abuse the Department of Communities and Justice, Child Protection Helpline (132 111) and the Police in the case of a known criminal offence or a child being at immediate risk.
- c. NCOM will not investigate the matter further until formal investigations by relevant external organisations are complete.
- d. If formal investigations by relevant authorities are complete. The Business Director/Co-CEO is to refer to the NCOM Code of Conduct for appropriate action.
- e. Business Director/Co-CEO to inform the Regional Conservatoriums Officer, Department of Education.

### 1.3.1 Mandatory Reporting (child focussed)

Sections 23 and 27 of the *Children and Young Persons (Care and Protection) Act 1998* require mandatory reporters to report to Community Services if they have current concerns about the safety, welfare and wellbeing of a child for any of the following reasons:

- a. the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
- b. the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- c. in the case of a child or young person who is required to attend school in accordance with the *Education Act 1990*—the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,
- d. the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- e. the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- f. a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,

**All NCOM employees are mandatory reporters.**

#### (ii) Procedures for reporting concerns (child focussed)

All NCOM employees are mandatory reporters and should follow normal procedures for reporting matters where they believe the child is at risk of significant harm:

- a. Immediately report the concerns to the Business Director/Co-CEO
- b. The Business Director/Co-CEO will gather relevant information to be included

in a report to Department of Communities and Justice, however staff are not permitted to investigate or ask students for further information. Where a legitimate concern exists, report first.

- c. Report concerns directly to the Child Protection Helpline (132 111)
  - d. If these concerns relate directly to the actions of the Business Director/Co-CEO, report these directly to the Child Protection Helpline (132 111).
- (iii) Procedure for reporting immediate risk to a child
- If a child is at immediate risk of harm, or information confirms a criminal offence has occurred, the Business Director/Co-CEO must notify Police immediately.
- a. If an employee is not able to inform the Business Director/Co-CEO, the report should be made directly to Police and the Business Director/Co-CEO notified as soon as practicable.

## **1.4 Training and supervision of workers**

NECOM promotes respect, fairness and consideration for all workers.

### **1.4.1 Induction**

Prior to commencing employment at NECOM, staff will be provided with a copy of the Child Safe Policy and Code of Conduct (Adults) and Code of Conduct (Child/Student). It is an expectation of employment at NECOM that all staff familiarise themselves with and adhere to these documents. The Business Director/Co-CEO will set up a meeting to discuss the policies and allow the new worker to ask questions and clarify their understanding.

### **1.4.2 Training**

All staff will be required to complete annual training in Child Protection which will be provided at NECOM's expense. NECOM will continue to ensure that all staff are aware of their responsibilities in relation to child protection by:

- a. Providing regular training and information sessions on child protection issues.
- b. Providing staff with relevant information and updates from child protection agencies.
- c. Encouraging staff to visit the following websites for additional information if required:
  - (i) NSW Department of Communities and Justice
  - (ii) NSW Office of the Children's Guardian [www.ocg.nsw.gov.au](http://www.ocg.nsw.gov.au)
  - (iii) NSW Commission for Children & Young People [www.kids.nsw.gov.au](http://www.kids.nsw.gov.au)

## **1.5 Other legislation, industry standards and internal policies**

### **1.5.1 State legislation**

This policy builds on and complements the following state legislation and other documents.

- a. *Child Protection (Working With Children) Act 2012*
- b. *Children and Young Persons (Care and Protection) Act 1998*
- c. *Child Protection (Offenders Registration) Act 2000 (NSW)*
- d. *Crimes Act 1900*
- e. *Privacy Act 1988*
- f. *Freedom of Information Act 1982*

### **1.5.2 NECOM internal policies**

This policy should be read in conjunction with the following NECOM policies and resources:

- a. NECOM Code of Conduct (Adults, Child, Student)
- b. NECOM Risk Management Policy
- c. NECOM Grievance Policy
- d. NECOM Privacy Policy
- e. NECOM Peripatetic Teaching Policy

## **1.6 Communication**

- a. Child Safety will be a regular agenda item at NECOM staff meetings and workers will be encouraged to ask questions and contribute to the continuous improvement of NECOM's Child Safe policies, procedures and practices in the workplace.
- b. NECOM's Child Safe Policy will be discussed during induction sessions for all new workers, volunteers and students.
- c. Children and parents joining our programs will be directed to a copy of NECOM's Policy and Codes of Conduct on the relevant NECOM program registration form.
- d. The NECOM Codes of Conduct will be clearly displayed in all rehearsal rooms and administrative spaces.

## **1.7 Review**

The NECOM Child Safe Policy and Codes of Conduct will be reviewed every two years to incorporate comments and suggestions from our range of stakeholders.