



City of Holdfast Bay

## CHILD PROTECTION POLICY & PROCEDURES

### 1 Purpose and Scope

---

#### 1.1 Purpose:

1.1.1 One of the objectives of The City of Holdfast Bay Music Centre Inc. which includes Holdfast2, The City of Holdfast Bay Concert Band and The Lindy Hip Big Band (hereinafter referred to as 'the Band') is the training of children and young people in the craft of (concert and Big Band) banding. The purpose of the Children's Protection Act 1993 is to enable the process of learning to take place in an environment that promotes acceptance of the child(ren), encourages their learning and participation, and provides a safe environment for these processes to occur. Where such an environment is created the learner can be assisted to develop to the fullest extent of their potential.

1.1.2 This policy demonstrates the strong commitment of the Music Centre to promoting the safety and wellbeing of children and in establishing and maintaining child safe and child friendly environments. The Music Centre will ensure that it has policies and guidelines in place that uphold this commitment.

1.1.3 The policy also provides guidelines to the Band and its members to recognize the duty of care that it holds for the protection of children participating in programs and services at the Band.

#### 1.2 Scope:

1.2.1 This policy, from the date of endorsement, applies to all Band members, users, volunteers, children, parents, carers and other individuals involved in the Band.

### 2 Definitions

---

- **Abuse or neglect** - in relation to a child, includes any and all of the following:
  - Threat to child's safety
  - sexual abuse of the child; or
  - physical or emotional abuse of the child, or
  - neglect of the child, to the extent that the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's

wellbeing; or the child's physical or psychological development is in jeopardy, and "abused" or "neglected" has a corresponding meaning (Children's Protection Act 1993)

- **Child/Children** - means a person/s under 18 years of age;
- **CSO** - Child Safety Officer appointed by The City of Holdfast Bay Music Centre to oversee the Child Protection Policy.
- **CSE** - Child Safe Environment training by accredited trainer or Training Organisation.
- **DHS** - Department of Human Services
- **Duty of Care** -
  - (a) if it is foreseeable that a person might suffer some sort of harm or loss as a result of something someone else does or fails to do, then they owe that person a duty of care;
  - (b) the responsibility of organisations to provide children in their care with an adequate level of protection against harm.
- **The City of Holdfast Bay Music Centre Inc** - means the organisations incorporated as Holdfast 2, The City of Holdfast Bay Concert Band and The Lindy Hip Big Band, hereinafter referred to as the Band.
- **Executive of the Bands Committee** - the President, Secretary or Treasurer and two other members of the Music Centre's Committee.
- **Mandatory Reporting** - A requirement, by law, that a person must notify the Child Abuse Report Line (CARL) when it is suspected, on reasonable grounds, that a child has been or is being abused or neglected.
- **Mandated Notifier** -A person who must, by law, report suspected abuse or neglect of a child formed during a person's work, regardless of whether it is paid or voluntary work, or in the carrying out of official duties.
- **Participants/groups** - may be vulnerable because of their age, have a disability, or because of their circumstances and may include children, youth, older people, people with physical, developmental, social, emotional or other disabilities and people who have been victims of trauma, crime or torture.
- **Negligence** - where the standard or duty of care owed to a person by an organisation has been breached, causing that person to suffer some form of damage. Examples of negligence might include failure to perform and adequate referee checks, not responding to complaints or allegations, lack of adequate supervision or guidance for staff.
- **RAN-EC** - Responding to Neglect & Abuse training specific to understanding types of Abuse and Neglect and the Reporting of Neglect and Abuse becoming a Mandated Notifier.

### 3 Related Documents

---

- Information Handbook for Band Members

- Information Sharing Guidelines

#### **4 Relevant Legislation & References**

---

- Children's Protection Act 1993  
<https://www.legislation.sa.gov.au/LZ/C/A/CHILDRENS%20PROTECTION%20ACT%201993/CURRENT/1993.93.AUTH.PDF>
- Child Safe Environments: Principles of Good Practice and Standards
- Child Safe Environments training
- Child Safe Environments: Standards for dealing with information obtained about a person's criminal history as part of a relevant history assessment
- Information Sharing Guidelines (ISG) for Promoting the Safety and Wellbeing of Children, Young People and their Families, issued by the Office of the Ombudsman  
<http://www.ombudsman.sa.gov.au/wp-content/uploads/ISG-Guidelines1.pdf>
- ISG Appendix

#### **5 Statement of Intent**

---

- 5.1** All children who come to the Bands have a right to feel safe. The Music Centre is committed to the safety and well-being of all children and young people accessing our services and the welfare of the children in our care will always be our first priority. We aim to create a child safe and child friendly environment where all children are valued and feel safe.
- 5.2** The Music Centre has adopted comprehensive policies, procedures, practices and risk management strategies that are clear, meaningful and accessible and demonstrate a commitment to creating and maintaining a child safe environment.
- 5.3** It is a critical aspect of our duty of care to children that staff, volunteers, parents and children are informed and provided with guidance on how to maintain a child safe environment.

#### **6 Background**

---

- 6.1** This policy reflects the Music Centre's commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from abuse.
- 6.2** The Music Centre owes a duty of care to children while they are under the care or supervision of Band members and volunteers. This duty of care requires the Band to report any concerns to protect children from foreseeable risks. The Music Centre recognizes that failing to provide children with an adequate level of protection from harm can result in immeasurable psychological, emotional, social, physical and financial cost to the child and their family.
- 6.3** The Music Centre believes that actively promoting the organisation as a child safe organisation and educating and informing, members, volunteers and the

community on the risks and forms of child abuse and neglect will assist in maintaining a child safe environment.

- 6.4** The Music Centre complies with its obligations under the Children's Protection Act 1993, in particular:
- Sections 88 to 80 - Child Safe Environments and related obligations for organisations working with or providing services to children; and
  - Section 11 - Mandatory reporting
- 6.5** It also complies with the Child Safe Environments: Principles of Good Practice and Standards for dealing with information obtained about the criminal history of Band members and volunteers who work with children, issued by the Chief Executive of the Department for Education (DE).

## **7 Policy**

---

- 7.1** The Music Centre is committed to the safety and well-being of all children and young people accessing our services in accordance with its obligations under the Children's Protection Act 1993 Section 11(1) & (2) to report any incidents of abuse or neglect.
- 7.2** The Music Centre will conduct OHS child related employment checks for all people working with children, as set out in Act as well as screening and referee checks for each volunteer and member appointment in accordance with the child safe environments obligations.
- 7.3** The Music Centre will include information on mandatory reporting in its induction process and will provide Child Safe Environments training to all staff and volunteers working with children.
- 7.4** The Music Centre will not tolerate incidents of child abuse and all staff and volunteers have an obligation to report any concerns to the Child Abuse Report Line (13 14 78) as soon as practicable if they have a reasonable suspicion that a child may be at risk.
- 7.5** Members must report to the Individual Band's Child Safety Officer any reasonable suspicion that a child has been, or is being, abused or neglected by another member of staff, or volunteer.
- 7.6** The Music Centre may resolve to take protective action that will include reporting any incident to the police, to keep the child and others safe. Confidentiality and natural justice principles apply to the implementation of this policy.
- 7.7** Band members will encourage children to express their views, and make suggestions where appropriate, especially on matters that directly affect children. The Band will teach children what they can do if they feel unsafe, and listen to and act on any concerns children, or their parents raise.
- 7.8** To help maintain a safe environment for children, the Music Centre will review its risks regularly and implement strategies to minimise and manage these risks.

## 8 Procedures

---

### 8.1 General

In all dealings and contacts with children (including tuition) the focus shall be on the creation of a positive learning environment, one where the child is accepted, enabled to feel respected, encouraged, and able to share their ideas and perspectives with the adult(s).

### 8.2 Appointment of a Child Safety Officer -

**8.2.1** - A child safety officer shall be appointed by the committee

**8.2.2** - the role of the CSO shall be to :-

- a) Supervise the implementation of this Policy and Procedures
- b) Maintain records of certificates of members ie RAN, CSE, OHS.
- c) Be the contact person for Child safety enquiries and concerns.
- d) lodge the organisation's child safe environments compliance statement with the Department for Education.
- e) Be a member of the Band Committee and provide regular reports/updates to the committee on matters relating to child safety
- f) ensure that committee members have an understanding of or training in Child Safe Environments/RAN-EC

### 8.3 Selection and appointment of music (instrument) tutors

**8.3.1** Any person seeking to be appointed as a musical instructor (hereinafter referred to as tutor(s)) for the learner's group will be assessed for suitability in terms of the requirements of the Children's Protection Act 1993 and Regulations. The assessment process includes (but may not be limited to):

- A selection interview with the Musical Director
- Obtaining of references from previous Band(s)
- On-the-job observations
- Relevant history checks through OHS

**8.3.2** Notwithstanding the requirements specified in 5.2.1, a person with current RAN-EC (Responding to Neglect and Abuse training)/Child Safe Environments training should also provide evidence of currency or obtain certificate/s within a negotiated timeframe. A member or person holding a current RAN-EC/CSE certificate may be appointed to the role pending a OHS Screening.

**8.3.3** A nominee may commence duties as a tutor pending receipt of the report is received from DCSI and provided to the Committee so long as there is supervision by a suitably certificated Band member.

#### **8.4 The training of the Child Safety Officer (CSO), tutors and Committee members**

**8.4.1** The CSO, tutors appointed, and Committee members shall undertake the one-day training program in Child Safe Environments as part of their brief in child protection. This training shall be 'refreshed' within three years of undertaking the initial training, and within three yearly intervals thereafter.

**8.4.2** Where it is not possible for a newly appointed tutor to undertake the initial training prior to commencement of duties, the CSO shall liaise with and support that tutor on child protection issues until they are able to complete the initial training.

#### **8.5 The handling of child protection issues**

**8.5.1** Without restricting the rights of an individual to lodge a call to CARL, where a parent or career wishes to discuss a child protection issue with the CSO shall be available to meet with that person for this purpose.

**8.5.2** A report to CARL is made under the requirements of the *Children's Protection Act 1993*. No constraints are to be applied arising from consideration of matters of confidentiality that might normally arise when discussing matters that might otherwise be regarded as confidential to the parties concerned.

**8.5.3** Where the CSO or other Committee member becomes aware that a child has been the subject of a report to CARL (whether arising from their association with the Band or otherwise) every effort shall be made to provide support to that child and their parents to assist them to successfully deal with the issue and to enable them, where they so desire, to continue to participate in the Band's activities with appropriate new safeguards in place. This can include (but is not limited to):

- referring the child, young person or their family to other appropriate services
- continuing to provide a service to the child and/or their family,
- monitoring the child's circumstances, and
- displaying information about services that can assist children and their families (such as the Kids Helpline 1800 55 1800 and Youth Healthline 1300 13 17 19)

#### **8.6 The maintenance and security of records relating to the implementation of this Policy**

- 8.6.1** The Child Safety Officer shall maintain a confidential record of the assessments obtained from OHS. Any copies of an assessment report received from OHS shall be held in a confidential file.
- 8.6.2** Any files and electronic records held by the Band that relate to CPP matters shall be accessible only by the CSO and the Executive of the Band Committee.
- 8.6.3** A copy of the organisation's child safe environments compliance statement shall also be kept in the confidential electronic record.

## **8.7 Procedures to be followed when undertaking tuition of children**

- 8.7.1** In general, the tuition of children shall be undertaken in small groups. Where one-on-one tuition is required this should only be in a place where both the child and tutor are visible to other people at the Band room. Parents/Carers are encouraged to observe the tuition sessions as often as possible.
- 8.7.2** In all other respects the provisions of the Information Handbook for Band Members will apply, specifically those contained in Section 10- Code of Conduct.

## **9. Harassment and bullying**

- 9.1 The Music Centre opposes all forms of discrimination, harassment and bullying, especially that which may occur between adult members and children. This includes, but is not limited to, behaviours defined in paragraph 2.3above.
- 9.2 Without limiting a member's opportunity to report to CARL or SAPOL, any member who has concerns about the behaviour of another member (whether an adult or child) may discuss the situation with the Child Safety Officer, the Band Manager or a member of the Committee with a view to having the matter addressed.
- 9.3 Any concerns raised will be dealt with in a confidential manner, and in accordance with the principles of natural justice. This means
- an unbiased hearing for the member who is the subject of the complaint (this includes the matter being dealt with by an Officer of the Band other than that about whom the complaint is made), and
  - a decision will not be reached without prior discussion with the member who is the subject of the complaint.

## **10. Complaints and concerns**

- 10.1 Complaints may be made in person or in writing to the Child Safety Officer, or the Committee.
- 10.2 Any complaint received shall be dealt with promptly, fairly (see 9.3 above), sensitively, (including being within the limits of confidentiality available to any Officer charged with dealing with the matter), and with the safety and protection of any children and/or young people involved being the paramount concern.
- 10.3 On receiving a complaint, the following procedure shall be followed:

10.3.1 The CSO, Manager or other Committee Member authorised by the Committee to follow up on the complaint will first discuss the issue with the complainant to ensure the description of the issue includes all relevant facts and to offer support to that person.

10.3.2 The CSO, or other Committee Member shall then discuss the issue with the other party with a view to resolving the issue with a view to correcting any inappropriate behaviours.

10.3.3 The member who is subject of a complaint shall not participate in any activities of the Band where children may be in attendance until the matter is resolved.

10.3.4 Where the matter is of sufficient gravity to warrant the suspension of the member from participation in the activities of the Band, the Committee has the power to request that the member resign or to "determine any membership" of that member.

10.4 Nothing in this process limits the right of the complainant to report the matter to CARL or SAPOL (as the case may require).

10.5 The fact of a matter being reported under these provisions is to be included in the annual return to DECO by the CSO.

## **11. Risk Management**

11.1 The Music Centre, through the Committee, undertakes to review its risks on a regular basis, and no less frequently than annually, to ensure the maintenance of a safe environment for children, and report the outcomes of this review to DECO in the annual Return.

11.2 This includes ensuring:

- the procedures for tuition of children are adhered to
- tutors and other relevant Band members maintain currency in their training in matters relating to the protection of children

## **12. Summary**

This document is a requirement of the Children's Protection Act 1993, that this includes

- creation of a duty of care and creates mandatory reporting obligations applying to everyone
- must appoint a child safety officer
- detailed checking of anyone working with children and approved training
- record keeping and complaint handling

Everyone is encouraged to familiarise themselves with the policy and in particular with their specific duties and obligations, Copies can be obtained from Music Centre Committee

### 13. Document History

---

<b>Document Name:</b>		<b>Child Safe Policy</b>	
<b>Version No.</b>	<b>Version Date</b>	<b>Approved by</b>	<b>Description of changes</b>
1.0	13/08/2019	Music Centre Committee	Adopted as final version
2.0			

### Approval

<b>Name</b>	Pam Woodburn
<b>Position</b>	President
<b>Signature</b>	
<b>Date</b>	13/08/2019

