

The Australian Children's Choir

Children & Vulnerable People Safeguarding Policy & Procedures

March 2024

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



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1. Introduction

The Australian Children's Choir Inc. ("ACC") is committed to promoting and protecting the interests and safety of children and vulnerable people. We have zero tolerance for child abuse.

Everyone working and volunteering at The Australian Children's Choir Inc. is responsible for the care and protection of children and vulnerable people and reporting information about child abuse.

1.1 Purpose

The purpose of this policy is:

1. To facilitate the prevention of abuse of any form occurring within The Australian Children's Choir Inc.
2. To work towards an organisational culture promoting the safety of vulnerable people.
3. To prevent abuse of any form within The ACC.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for 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.

2. Policy Statements

- A. The ACC. is committed to promoting and protecting at all times, the best interests of vulnerable people involved in its programs.
- B. All vulnerable people, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.
- C. The ACC has zero tolerance for abuse. Everyone working and volunteering at The ACC is responsible for the care and protection of the vulnerable people within our care and reporting information about suspected child abuse.
- D. The safety of our vulnerable people is a shared responsibility between the ACC, all employees, workers, contractors, associates, and members of The ACC community.
- E. Children and young people and their families are vital and active participants in our organisation and as such, The ACC involves them when making decisions, especially about matters that directly affect them. The ACC will consider the opinions of its children, young people and families and use their opinions to develop policies.
- F. The ACC supports and respects all children, young people, vulnerable adults, staff and volunteers.
- G. The ACC is committed to supporting the needs of children and young people living with a disability, children and young people from culturally and linguistically diverse backgrounds, children and young people who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.
- H. The ACC provides a culturally safe and inclusive environment for Aboriginal children and young people and ensures that their needs are met.
- I. The ACC repertoire will be suitable and age appropriate for children and young people.

3. Responsibilities

Committee of Management	<ul style="list-style-type: none"> • ultimate responsibility for the detection and prevention of abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. • responsible for ensuring that appropriate policies and procedures and a Code of Conduct are in place
Members of the Committee of Management	<ul style="list-style-type: none"> • familiarize themselves with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct. • promote the safety of vulnerable people at all times. • assess the risk of abuse within their area of control and eradicate / minimise any risk to the extent possible. • educate employees about the prevention and detection of abuse; and • facilitate the reporting of any inappropriate behaviour or suspected abusive activities
Safeguarding Officer	<ul style="list-style-type: none"> • dealing with and investigating reports of child. • 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 ACC community are aware of their obligation to report suspected sexual abuse of a vulnerable person 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 the safety of vulnerable people);

	<ul style="list-style-type: none"> • Providing support for staff, contractors, and volunteers in undertaking their safeguarding responsibilities.
Staff and Volunteers	<ul style="list-style-type: none"> • Familiarise themselves with the relevant laws, the Code of Conduct, and ACC's policy and procedures in relation to safeguarding vulnerable people and comply with all requirements. • Report any reasonable belief that a vulnerable person'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 vulnerable person'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 vulnerable people's emotional and physical safety.

4. Procedures

Procedures to be followed in managing the safety of vulnerable people in the care of the ACC can be found at Appendix 2

5. Privacy

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone’s safety. The ACC 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.

6. Policy Governance

6.1 Compliance to Policy

Monitoring of compliance to Policy will be conducted by the Committee of Management and General Manager of the ACC.

Where any person is concerned that a breach of this Policy has occurred or will occur, they are obliged to report the matter to a member of staff of the Committee of Management.

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

Exemptions or exceptions to the Policy can only be approved by the approval authority and must be recorded by the Policy Owner (or delegate).

6.2 Performance and Consequence Management

Any non-compliance with this Policy may be regarded as serious misconduct and may result in disciplinary or legal action.

6.3 Training and Awareness

All Committee Members, employees, choir members and volunteers are subject to training on induction and on an ongoing basis in relation to this Policy.

6.4 Related Policies or Procedures

- The law of the Commonwealth or of the relevant state or territory.
- The Australian Children’s Choir Inc. Code of Conduct.
- The Australian Children’s Choir Inc. Rules of the Association.
- The Australian Children’s Choir Inc. Risk Management Framework.

6.5 Document Control

- The owner of the Policy is the **ACC Committee of Management**, and they are authorised to approve minor changes.
- The approver of the Policy, and any material changes to the Policy, is the **ACC Committee of Management**.
- This Policy will be reviewed annually, or following every reportable incident, or when material changes occur in the internal or external business environment. The ACC will provide families and children with the opportunity to contribute to reviews. The findings of reviews will be communicated to staff, contractors, volunteers, families and children.

Effective Date	Next Review Date	Release Level
23 March 2024	March 2025	Public

Appendix 1 – Definitions¹

TERM	DEFINITION
Abuse	<p>All forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:</p> <ul style="list-style-type: none"> • physical abuse; • emotional abuse; • threats of, or actual violence, verbal, emotional or social abuse; • sexual harassment, bullying or abuse; • sexual criminal offences; • cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime; • coercion and exploitation; • abuse of power; and • neglect
Adult	A person who is not a child.
Child or young person	A person under the age of 18 years.
Child abuse	Is emotional abuse, neglect, physical abuse and/or sexual abuse (all as defined) to a child
Child Safe Organisation	<p>An organisation that consciously and systematically:</p> <ul style="list-style-type: none"> •creates conditions that reduce the likelihood of harm to children. •creates conditions that increase the likelihood of identifying and reporting of harm. •responds appropriately to disclosures, allegations and suspicions of harm.

TERM	DEFINITION
Complaint	<p>Includes any allegation, suspicion, concern or report of a breach of this policy or the ACC's code of conduct. It also includes disclosures made to the ACC that may be about or relate to abuse in an ACC context.</p> <ul style="list-style-type: none"> • The ACC may receive a complaint: • Directly); • From anyone – a child, adult survivor, parent, trusted adult, independent support person, staff Member, volunteer or community Member; • About an adult allegedly perpetrating child sexual abuse or about a child exhibiting harmful sexual behaviours; or • In writing, verbally or as a result of other observations, including behavioural indicators. • A complaint may become a 'report' to an external authority or agency

¹ ANSVAR Safeguarding Definitions <https://www.ansvar.com.au/safeguarding/>

TERM	DEFINITION
Disclosure	<p>A process by which a child conveys or attempts to convey that they are being or have been sexually abused, or by which an adult conveys or attempts to convey that they were sexually abused as a child.</p> <p>This may take many forms and might be verbal or non-verbal. Non-verbal disclosures using painting or drawing, gesticulating, or through behavioural changes, are more common among young children, children and vulnerable people with cognitive or communication impairments. Children, in particular, may also seek to disclose sexual abuse through emotional or behavioural cues, such as heightened anxiety, withdrawal, aggression or inappropriate sexual behaviour.</p> <p>Disclosures can be intentional or accidental, and they might be prompted by questions from another person, or triggered by a memory of the abuse. A disclosure may also become a 'complaint' when made to the [name of organisation] or a 'report' when made to an external authority or agency.</p>
Emotional Abuse	<p>Serious psychological harm can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma.</p> <p>Although it is possible for 'one off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child or young person.</p> <p>This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour</p>

TERM	DEFINITION
Grooming	<p>Behaviours that manipulate and control a child, their family and other support networks, or institutions with the intent of gaining access to the child, obtaining the child's compliance, maintaining the child's silence, and avoiding discovery of sexual abuse.</p> <p>Grooming can take place in person and online and is often difficult to identify and define. This is because the behaviours involved are not necessarily explicitly sexual, directly abusive or criminal in themselves, and may only be recognised in hindsight.</p> <p>Some grooming behaviours are consistent with behaviours or activities in non-abusive relationships, and can even include desirable social behaviours, with the only difference being motivation. Perpetrators can groom children, other people in children's lives, and institutions.</p> <ul style="list-style-type: none"> • Grooming may take a number of forms: <ul style="list-style-type: none"> ○ Building trust: ○ Favouritism: ○ Gaining the trust of the child's or young person's parents or carer/s ○ Isolation - from family and/or, friends ○ Intimidation and secrecy 'Testing the waters' or boundary violation. ○ Shaping the persons perceptions:
Harm	<p>Damage to the health, safety or wellbeing of a child, young person, or vulnerable adult, including as a result of abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.</p>

TERM	DEFINITION
Mandatory Reporting	Where a legislative requirement is placed where there is the organisation forms a reasonable belief that a report needs to be made to report regarding known and/or suspected cases of child abuse and neglect to the appropriate state-based authority. This may be a nominated government department or agency (typically the Police and/or child protection authority).
Neglect	Is when a parent, guardian caregiver cannot regularly give a child the basic things needed for his or her growth and development, such as food, clothing, shelter, medical and dental care, adequate supervision, and enough parenting and care.
Person at Risk	Person aged 18 years and over who: <ul style="list-style-type: none"> • has care and support needs; • is being abused or neglected, or are at risk of abuse or neglect; and • is unable to protect themselves from abuse or neglect because of their care and support needs.
Physical Abuse	Is a non-accidental injury or pattern of injuries to a child or young person caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation. Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. Hitting a child or young person around the head or neck, or using a stick, belt or other object to discipline or punishing a child or young person (in a non-trivial way) is a crime.

TERM	DEFINITION
Reasonable grounds for belief	A reasonable belief is a belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they: <ul style="list-style-type: none"> • observed the conduct themselves. • heard from a child that the conduct occurred. • received information from another source (including another person who witnessed the reportable conduct or misconduct). • The head of the organisation does not need to share the person's reasonable belief regarding the allegation.
Reportable Conduct	Conduct that must be reported under legislation that obliges designated institutions to report allegations of institutional child sexual abuse to an independent statutory body.
Reportable conduct scheme	A scheme established under legislation by a State or Territory to monitor, investigate and report on reportable conduct
Safeguarding	Protecting the welfare and human rights of people that are, in some way, connected with your organisation its work – particularly people that may be at risk of abuse, neglect or exploitation.
Safeguarding Officer	The Member of the ACC appointed by the Management Committee to coordinate ACC's administration relating to the safeguarding of young people.

TERM	DEFINITION
Sexual Abuse	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.
Vulnerable person	<p>Vulnerable people are defined as a people aged under 18 or other individuals who may be unable to take care of themselves or are unable to protect themselves against harm or exploitation.</p> <p>While all people must be protected from harm, there are additional legislative and ethical considerations for protecting vulnerable people. Vulnerable people can include:</p> <ul style="list-style-type: none"> • children and seniors • people with impaired intellectual or physical functioning • people from a low socio-economic background • people who are Aboriginal or Torres Strait Islanders • people who are not native speakers of the local language • people with low levels of literacy or education • people subject to modern slavery, which involves human exploitation and control, such as forced labour, debt bondage, human trafficking, and child labour.

TERM	DEFINITION
Whistle-blower	Anyone who makes or attempts to make a report of Reportable Conduct under this Policy, and is, or has previously been, an employee, volunteer, contractor, third party, child, young person or vulnerable person in the care of [Name of Organisation] or is a relative or dependent of such persons.
Working with Children Check	<p>A pre-employment screening program which ensures child-safe working environments in Australia?</p> <p>Pre-employment screening of adults and volunteers who come in contact with children is mandatory and legislated for across most States and Territories in Australia. However, there is no national framework setting out the requirements for obtaining a Working with Children Check (or Police Checks) - and each State and Territory has their own procedures and requirements</p>
Young person	<p>A teenager who is a child.</p> <p>Note: This term is used in recognition that a teenager may not identify as being a 'child' (notwithstanding the definition)</p>

Appendix 2 - Child Safety Procedures

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

A1.1 Making a report

A pro-forma report can be found at Appendix 3.

A1.2 Employment of New Personnel

The ACC undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all vulnerable people under the care of the ACC;
- Identify the safest and most suitable people who share the ACC's values and commitment to protect vulnerable people; and
- Prevent a person from working at the ACC if they pose a risk to vulnerable people.

The ACC requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with the ACC. All workers and volunteers are required to hold a valid Working with Children Check.

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

The ACC will undertake thorough reference checks as per the approved internal procedure.

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

A1.3 Training and Supervision

Workers and volunteers will be trained to identify, assess, and minimise risks of abuse and to detect potential signs of abuse. They will also be supported through ongoing supervision to:

- develop their skills to protect vulnerable people from abuse;
- promote the cultural safety of Aboriginal children and young people; and
- support the needs of children and young people living with a disability, children and young people from culturally and linguistically diverse backgrounds, children and young people who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

New workers and volunteers will be supervised regularly to ensure they understand the ACC's commitment to the safety of vulnerable people and that everyone has a role to play in protecting vulnerable people from abuse, as well as checking that their behaviour towards vulnerable people is safe and appropriate.

A1.4 Risk Management

The ACC will ensure that the safety of vulnerable people is a part of its overall risk management approach. The ACC will have risk management strategies in place to identify, assess, and take steps to minimise abuse risks which include risks posed by physical environments and online environments. The ACC will conduct regular risk assessments and the risk of abuse will form part of the ACC's risk management framework. The risk management framework will be developed in consultation with staff, volunteers, children, young people and families. The ACC will ensure that any risk controls put in place balance the need to minimise harm with the benefits of participating in the choir. The Committee of Management is responsible for approving the risk management framework.

A1.5 Reporting

A1.5.1 Allegations, concerns and complaints

The ACC takes all allegations of abuse and safety concerns seriously and has reporting processes and practices in place to investigate thoroughly and quickly.

The ACC will ensure that all children and families know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. If an adult has a reasonable belief that an incident has occurred then they must report the incident to the Safeguarding Officer. Factors contributing to reasonable belief may include:

- a vulnerable person states they or someone they know has been abused (noting that sometimes the vulnerable person may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

In consultation with the Safeguarding officer, the General Manager and or the President, an assessment is to be made as to whether the observed abuse requires reporting to the authorities.

A1.5.2 Legislative responsibilities

The ACC takes its legal responsibilities seriously, including:

- Failure to disclose: All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to Victoria Police.
- Mandatory reporting: Any Committee of Management, staff or volunteers who are mandatory reporters (doctors, nurses, midwives, teacher, principals and police officers) must comply with their duties.
- Failure to protect: People of authority in the ACC will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

A1.5.3 Risk management strategies

To ensure the immediate and ongoing safety of the vulnerable person the following strategies will be employed:

- establish the welfare and safety of the vulnerable person and take steps to ensure the vulnerable person is removed from the risk.
- reassure them and remain calm.
- listen carefully without interrupting.
- don't ask leading questions or any additional questions once you've established there is a genuine concern (to not compromise future investigations by Victoria Police or Child Protection)
- support them, reassuring the vulnerable person that they have done the right thing, that you believe them and that the abuse is not their fault.
- explain what will happen, including timeframes.
- don't make promises you can't keep.
- don't confront the alleged perpetrator.
- seek guidance if you are unsure about what to do.

It is the Safeguarding Officer's role to conduct a risk assessment after receiving an allegation, to ensure the safety of all people involved and maintain the integrity of the investigation.

A1.5.4 Reporting process

All allegations of abuse and safety concerns will be recorded by the ACC and records will be securely stored.

An incident report form can be obtained from the Safeguarding Officer or extracted from this policy and is to be completed as soon as practicable.

In situations where a member of the Committee of Management 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 member of the Committee of Management.

A1.6 Investigating

If the appropriate 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.

If the authorities decide not to conduct an investigation, the Safeguarding Officer 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 Safeguarding Officer 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 Safeguarding Officer will make every effort to keep any such investigation confidential; however, from time-to-time other members of the Committee of Management 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 Safeguarding Officer 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.

A1.6.1 Support for impacted parties

The following steps will be taken to ensure all impacted parties are supported during the investigation:

1. **Explain the Process:** Clearly explain to the parties the steps involved in addressing the complaint. Let them know what they can expect at each stage of the process.
2. **Maintain Confidentiality:** Assure the parties that their complaint will be handled with confidentiality and discretion. Emphasise the importance of keeping sensitive information private to protect all parties involved.

3. **Offer Support and Resources:** Provide the parties with any support or resources they may need during the process. This could include counselling services, legal advice, or advocacy support.

4. **Encourage Cooperation:** Encourage the parties to cooperate fully with the investigation or resolution process. Emphasize the importance of providing any evidence or information that may be relevant to the case.

5. **Ensure Fairness and Impartiality:** As you assist the parties, remain neutral and impartial. Treat both the complainant and the accused with fairness and respect, ensuring that all parties have an opportunity to present their side of the story.

6. **Follow Up:** Keep in touch with the parties to provide updates on the progress of their complaint. Address any additional concerns or questions they may have along the way.

A1.7 Responding

If it is alleged that a member of staff, contractor or a volunteer may have committed an offense or have breached the ACC'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 offense (or a breach of the ACC'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.

A1.7.1 Supporting legislation and standards

- Child Wellbeing and Safety Act 2005 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Privacy Act 1988 (Commonwealth) United Nations Convention on the Rights of the Child.
- Child Safe Standards

Appendix 2 – Incident Report

All incident reports must be stored securely, and password protected to maintain confidentiality. Please contact the ACC Safeguarding Officer when lodging this report to communicate any protections added to the document.

If you believe a child is at immediate risk of abuse phone 000.

1. Incident details

Date of incident:	
Time of incident:	
Location of incident:	
Date Identified (if different from date of incident)	

Name(s)/Detail of child/children/young person/vulnerable adult /s involved:	
Name(s) of staff/student/volunteer involved:	

2. Please categorise the incident

- Physical violence
- Sexual offence
- Sexual misconduct
- Serious emotional or psychological abuse
- Serious neglect
- Grooming
- Breach of the ACC Child and Vulnerable Person Safeguarding Policy
- Reportable Conduct

Make Selection	Comments

3. Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

No Yes, Aboriginal Yes, Torres Strait Islander

4. Is the child from a culturally or linguistically diverse background?

(Mark with an 'X' as applicable)

No

Yes

If yes, please provide details:

5. Does the child have a disability?

A disability can be any physical, sensory, neurological disability, acquired brain injury, intellectual disability, or developmental delay that affects a child's ability to undertake everyday activities.

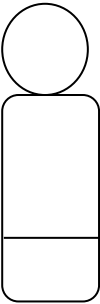
(Mark with an 'X' as applicable).

No

Yes

If yes, please provide details:

6. Please describe the incident

Overview:	
When did it take place and what were the circumstances:	
Who was involved?	
What did you see / hear? 	
Other information:	

7. Proposed corrective action and mitigation plan:

Action	Responsible Person	Date (Completion)	Status

8. Details of person reporting the incident:

Name of person reporting the incident:	
Department of reporter (if/where applicable):	
Contact Details of reporter:	

9. ACC use only:

Date incident report received:		
Staff member managing incident:		
Incident ref. number:		
Has the incident been reported?	Date Notified	Comments
Child protection		
Police		
Commission for Children and Young People		
Another third party (please specify):		