

# Monkey Baa Theatre Company Child Safety and Wellbeing Policy

## 1. Purpose

The purpose of this child safety and wellbeing policy is to:

- promote an organisational culture of child safety;
- facilitate the prevention of the abuse of children within Monkey Baa Theatre Company;
- ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse;
- provide guidance to staff on actions to take where they suspect abuse;
- provide assurance that any suspected abuse will be reported and investigated as appropriate;
- provide a channel for children, staff, or families to provide input on this policy (Feedback Mechanism);and
- commit Monkey Baa Theatre Company to being a child safe organisation.

## 2. Scope

This policy applies to all staff and anyone who represents Monkey Baa Theatre Company, including any adult engaged directly or indirectly by Monkey Baa Theatre Company who may work directly with or around children at any time, including:

- employees (permanent and casual);
- volunteers;
- contractors and sub-contractors;
- worker experience students/ interns/ secondments; and
- any other individual in the organisation that may deal with children,

(collectively referred to as “staff”).

All staff are required to comply with this Code.

For the purpose of this policy, a child includes children and young people up to the age of 18.

## 3. Child Protection

Monkey Baa Theatre Company is committed to promoting and protecting the best interests of young people involved in its programs. All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse. We have zero tolerance for child abuse.

Monkey Baa Theatre Company will consider the opinions of children and use their opinions to develop child protection policies.

Monkey Baa Theatre Company supports and respects all children, staff and volunteers. Monkey Baa Theatre Company is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

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

#### 4. Responsibilities

The Board of Monkey Baa Theatre Company:

- has ultimate responsibility for the detection and prevention of child abuse;
- is responsible for ensuring that appropriate and effective internal control systems are in place; and
- is responsible for allocating adequate resources for the implementation and maintenance of child safety measures (Resource Allocation).

The Executive Director of Monkey Baa Theatre Company is responsible for:

- dealing with and investigating reports of child abuse;
- ensuring that all staff, contractors, and volunteers complete mandatory training on child safety and well-being at regular intervals (Training Requirements);
- ensuring that third parties interacting with children during Monkey Baa Theatre Company activities adhere to this policy and undergo appropriate screening (Third-Party Involvement);
- ensuring the safety of children in digital and online interactions (Digital and Online Safety);
- providing psychological or emotional support services for children who have been victims of abuse and for staff who report abuse (Mental Health Support); and
- protecting staff, volunteers, and contractors who report abuse from retaliation (Whistleblower Protection).

All Managers must:

- promote child safety at all times.
- assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible.
- have an Emergency Response Plan outlining immediate actions to be taken in the event of discovering ongoing abuse (Emergency Response).
- document all incidents and actions taken in accordance with Monkey Baa Theatre Company's record-keeping policies (Documentation).
- must declare and manage any conflicts of interest that could compromise child safety (Conflict of Interest).

All Staff must:

- Promote child safety at all times.
- Familiarise themselves with the relevant laws, the Code of Conduct, and Monkey Baa Theatre Company's policy and procedures in relation to child protection.
- Report all suspected or disclosed child harm or abuse as required by relevant legislation (Legislation).
- Report any "reasonable belief" that a child's safety is at risk to the relevant authorities (such as the police and/or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation);

- Be responsible for informing and involving parents in cases of suspected or confirmed abuse, unless it's against the child's best interest (Parental Involvement).
- Comply with this policy and prioritise the prevention of harm to children and young people
- Uphold the rights of children and actively empower them to participate to the best of their ability
- Provide a safe and inclusive environment free from discrimination or harassment
- Report any breach of this policy or the Child Safety Code of Conduct to their manager
- Take steps to ensure all children can actively contribute to the organisation regardless of their ability, race, gender or cultural background
- Use positive and encouraging language when working with children
- Refrain from language that is discriminatory, racist, sexist, offensive or belittling
- Act on any concerns raised by a child that indicate they may be unsafe
- Avoid situations that place children at risk of harm
- Refrain from any conduct that is considered abusive, neglectful or grooming
- Notify and seek approval for any interaction with a child outside of our services, either professionally or personally, unless that child is a close family member

#### 5. Engagement of new staff, contractors and volunteers

Monkey Baa Theatre Company will take all reasonable steps to ensure we engage the most suitable and appropriate people, having regard to the safety of children,

All new staff, contractors and volunteers must undergo the organisation's comprehensive recruitment and screening processes before starting their roles or engagement.

Monkey Baa Theatre Company will:

- Interview and conduct thorough referee checks on all employees (with their most recent supervisors)
- Develop clear duty statements and job descriptions for roles that involve work with children that state clearly our commitment to providing safe environments for children
- Attain and keep a record of Working with Children or criminal history/police checks for anyone with direct and unsupervised contact with children, such as employees designated to supervise or chaperone children.
- Ensure supervisors are suitably experienced and qualified for the safety and well-being of children in accordance with their age and needs.

#### **Working With Children Checks**

- All new staff, contractors, and volunteers are required to provide a valid Working with Children Check (WWCC).
- WWCC will be verified via the Office for Children's Guardian online portal and registered prior to commencement.
- Those residing or working in another state must hold a valid Working with Children Check for that state.
- If engaged for work in a state where they do not hold a valid check, they must obtain one at their own expense and provide the WWCC number to the company prior to starting.

- With prior approval from the Executive Director, if an interstate worker will be working with Children directly for less than 5 days, the originating state WWCC will suffice.
- Core staff with expired Working with Children Checks will have their renewal fees reimbursed.
- All other staff, contractors, and volunteers are responsible for updating their WWCC at their own cost.

### **Police Checks**

A police check may also be required, in accordance with the law and as deemed appropriate.

### **Reference checks**

Monkey Baa Theatre Company will undertake thorough reference checks as per the approved internal procedure.

### **Policy Acknowledgement**

Upon engagement, all workers, contractors and volunteers must review and explicitly acknowledge their understanding of this Policy. This acknowledgement will be recorded on their internal records.

### **Training Requirements**

Mandatory educational programs or sessions aimed at equipping staff, contractors, and volunteers with the necessary knowledge and skills to promote child safety and well-being.

The following training is mandatory and will be completed via the Safety Management Online System:

- Identified Team Leaders will complete the following training:
  - The ChildSafe SP3 Team Leader
  - Safety Management and Permission to Proceed
- All staff must complete the following training:
  - Keeping Children and Vulnerable People Safe.

Contractors including creatives and crew must complete the Keeping Children and Vulnerable People Safe course when they:

- Are engaged in a project where they will have direct interaction with children for more than 5 days in total.
- Are involved in overnight trips with children.
- Have not completed such a course within the last 12 months.
- Are new to Monkey Baa Theatre Company and have not yet undergone any form of child protection training.

Monkey Baa will arrange and pay for the completion of this training. A registers will be maintained of all staff child protection training.

## **6. Supervision of Children**

Monkey Baa Theatre Company provides an open, safe and friendly environment for all children. This Code of Conduct outlines expected standards of behaviour regarding the supervision of children by designated supervisors and any other relevant staff in directly

caring for children employed or engaged by the organisation (e.g. program participants, work experience students).

- Supervision must comply with all relevant state regulations on the provision of adequate employment and workplace conditions for children.
- Supervisors should be with children (under 15 years) at all times whilst they are in the care of Monkey Baa Theatre Company. Children should not be left without direct supervision by a designated supervisor at any time.
- A supervisor's primary responsibility should be the safety and well-being of the children they have been assigned to supervise.
- Supervisors are expected to build a mutually respectful, professional relationship with all children in their care.
- Supervisors should appropriately guide children towards positive and responsible behaviour.

#### 7. Being alone with a child

No person shall be alone with a child unless it is absolutely necessary for the child's well-being or the execution of educational or artistic activities, and even then, only under the following conditions:

- **Prior Approval:** Obtain prior written approval from a manager, Monkey Baa Theatre Company's Child Safety Officer, or the Executive Director.
- **Notification:** Notify another adult staff member or volunteer of the situation and its duration, either in person or via a documented form of communication.
- **Visibility:** Whenever possible, the interaction should occur in a visible or semi-visible location, such as a room with a window or an open door.
- **Time Limit:** Limit the time spent alone with the child to the minimum necessary for the specific activity.
- **Documentation:** Document the reason for being alone with the child, the duration, and any other relevant details, in accordance with Monkey Baa Theatre Company's record-keeping policies.

#### 8. Support for Employees

Monkey Baa Theatre Company seeks to support employees by:

- Inducting new employees to our Child Safety and Wellbeing Policy, Code of Conduct and other relevant policies and procedures.
- Encouraging relevant employees to attend periodical information sessions as they become available, to remain up-to-date with knowledge of child protection, nature and signs of child abuse, cultural competence, regulation updates and other matters that affect children.
- Appointing a Child Safety Officer to be the first point of contact to provide advice and support to employees on the safety and well-being of children engaged with the organisation.
- Ensuring employees feel encouraged and empowered to report any complaints, concerns or perceived risks to child safety to the Child Safety Officer or other relevant management position.
- Ensuring designated supervisors and chaperones of children that are new to the role work with experienced supervisors sufficiently before working on productions or programs requiring single supervisors.

## 9. Risk management

Monkey Baa Theatre Company will ensure that child safety is a part of its overall risk management approach.

Monkey Baa Theatre Company will have a risk and compliance sub-committee committed to identifying and managing risks at Monkey Baa Theatre Company. Risk and compliance sub-committee members will receive regular training in relation to child safety.

## 10. Reporting and monitoring

### **Decision-Making Tools:**

Utilise appropriate resources such as the online Mandatory Reporter Guide, professional judgment, or specialist advice when there are concerns about the risk of harm to children.

### **Risk Assessment and Reporting:**

Evaluate whether concerns about the safety, welfare, or well-being of children constitute a risk of significant harm. If so, report these concerns to the Department of Communities and Justice.

This can be done in two ways:

- Via the Child Story Reporter Community online portal:  
<https://reporter.childstory.nsw.gov.au/s/login/?startURL=%2Fs%2Fmrg%3Ft%3D1695848744338>. The Executive Director has the login details.
- Or By phoning 13 21 11.

### **Police**

If a crime has been committed or the child is in immediate danger of abuse contact the police on 000.

### **Escalation:**

Regardless of the outcome or the seriousness of the claim, bring the situation to the attention of the Board, via the Chair and/or the Deputy Chair.

### **Staff Training Register:**

Maintain an organisational register to track staff participation in annual updates and inductions. This applies to all staff, including artists, part-time, temporary, and casual staff.

### **Record-Keeping:**

Keep records of reports made to the Department of Communities and Justice to confirm that mandatory reporting requirements have been met. Record the report engagement number for future reference.

### **Secure Storage:**

Retain all records and related documents in secure storage, ensuring confidentiality. These records should be transferred to any successor in a secure manner.

### **Investigation**

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

Whether or not the authorities decide to conduct an investigation, the Executive Director will consult with the authorities to determine whether an internal investigation is

appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the Executive Director 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 Executive Director will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the Executive Director 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.

### **Reasonable ground of belief**

For the purpose of staff reporting obligations, a “reasonable belief” is formed if a reasonable person believes that:

- the child is in need of protection,
- the child has suffered or is likely to suffer “significant harm as a result of physical injury,” or
- the parents are unable or unwilling to protect the child.

A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation.

A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a ‘reasonable belief’ might be formed if:

- a child states that they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child states that the child has been physically or sexually abused; professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or signs of abuse lead to a belief that the child has been physically or sexually abused.

## 11. Responding

If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached the organisation’s policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation’s policies or Code of Conduct) has occurred then disciplinary action may follow, 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.

## 12. Privacy

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Monkey Baa Theatre Company 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.

### 13. Reviewing

Every year, and following every reportable incident, a review may be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

### 14. Publication

This policy will be made available to all staff, contractors, volunteers, parents, carers and children.

### 15. Legislation

The following are relevant legislation to this policy:

- NSW Children and Young Persons (Care and Protection) Act 1998
- NSW Crimes Act 1900
- NSW Privacy and Personal Information Protection Act 1998.
- NSW Advocate for Children and Young People Act 2014
- Children's Guardian Act 2019
- Child Protection (Working with Children) Act 2019
- Child Protection (Working with Children) Regulations 2013
- Disability Inclusion Act 2014
- Anti-Discrimination Act 1977

### 16. Live Performance Australia Guidelines

Monkey Baa Theatre Company is a member of Live Performance Australia. As such it is a condition that we abide by LPA Codes and Guidelines. It is a requirement that we develop and implement child safe policies and procedures appropriate to our organisation. This Policy responds to this requirements.

This policy outlines Monkey Baa Theatre Company's guidelines for capturing and publishing images of children and young people up to 18 years old, aiming to protect their safety and privacy.

### 17. Using Images of Children

#### **Consent:**

- Informed consent is obtained from parents, carers, or legal guardians, and from children aged 15 or older, before taking or publishing any images.
- Details about how and where the images will be used are provided during the consent process.

#### **Filming and Photography:**



- Parents or guardians are informed if filming or photography is intended for analysis or performance improvement.
- If the venue for photography differs from the usual location, parental consent is required for a supervisor to be present.

### **Professional Photographers:**

- Photographers are briefed that all images taken are the property of Monkey Baa Theatre Company and cannot be used for other purposes.
- Photographers are never left unsupervised with children.

### **Privacy Measures:**

- Images containing identifying information are avoided unless consent is obtained.
- Parents and guardians are informed about who to contact for concerns or complaints regarding image use.

### **Audience and Education Program Participants:**

- Terms and Conditions and venue notices inform ticket holders that professional photography may occur.
- Parents and guardians of education program participants are made aware of potential photography for official use.

#### 18. Breach of Policy

If a staff member is found to have contravened the provisions of this policy, it may result in disciplinary action, which may include the termination of employment or engagement with Monkey Baa Theatre Company.

#### 19. Contract and Variation

This policy does not impose any contractual obligations on Monkey Baa Theatre Company. This policy does not form any part of an employee's contract of employment or the terms or conditions of a staff member's engagement. Monkey Baa Theatre Company may, from time to time, amend, revoke or vary this policy in its absolute discretion.

#### 20. Definitions

##### Child

A person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

##### Child Protection

Any responsibility, measure, or activity undertaken to safeguard children from harm.

##### Child Abuse

All forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g., for financial gain) or other exploitation of a child. This includes any actions that result in actual or potential harm to a child.

##### Child Sexual Assault

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. This also 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.

#### Reasonable Grounds for Belief

A belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

#### Feedback Mechanism

A structured process through which children, staff, or families can provide input, suggestions, or complaints about the organisation's child safety policies and procedures.

#### Resource Allocation

The provision of financial, human, or material resources by the Board of Monkey Baa Theatre Company for the implementation and maintenance of child safety measures.

#### Third-Party Involvement

The participation or interaction of external individuals or organisations with children during Monkey Baa Theatre Company activities.

#### Digital and Online Safety

Measures and guidelines to protect children from abuse or exploitation in digital or online settings. This includes Social Media.

#### Mental Health Support

Psychological or emotional assistance provided to children who have been victims of abuse and to staff who report abuse.

#### Whistleblower Protection

Safeguards to protect staff, volunteers, and contractors who report abuse from retaliation or adverse consequences. Also refer to our Whistle-blower Policy.

#### Emergency Response

Immediate actions to be taken by managers or other responsible persons in the event of discovering ongoing abuse or a serious incident involving a child.

#### Documentation

The formal recording of incidents, actions, or decisions in accordance with Monkey Baa Theatre Company's record-keeping policies.

#### Conflict of Interest

Any situation where a staff member, volunteer, or contractor has a personal or financial interest that could improperly influence, or appear to influence, their duties and responsibilities within the organisation.

#### Parental Involvement

The act of informing and involving parents or guardians in cases of suspected or confirmed abuse, unless it's against the child's best interest.

#### Being Alone with a Child

The act of a staff member, volunteer, or contractor being in the sole presence of a child, subject to specific conditions outlined in this policy.