

## WA YOUTH THEATRE COMPANY SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY

**Drafted:** May 2019; December 2019

**Ratified by the Board:** TBC

**Date for Review:**

### 1. RATIONALE

The purpose of this policy is to provide written processes about the health and safety of the WA Youth Theatre Company (WAYTCo) staff (paid and unpaid), children and young people, as well as the appropriate conduct of the Company's staff, members and volunteers.

All children have a right to be protected from harm and WAYTCo staff members owe a 'duty of care' to all children and young people under the age of 18 years engaged with the Company. WAYTCo staff members have a special responsibility to protect children when they are directly involved in WAYTCo activities and also to intervene when they believe the welfare of a child is at risk outside the Company.

This policy also aims to safeguard WAYTCo staff and volunteers by avoiding ambiguous workplace situations and behaviours, which may be misinterpreted and potentially lead to false allegations against them.

### 2. SCOPE

This policy applies to all members of the WAYTCo community. This includes children, members, staff members, volunteers, parents volunteering their services, and third parties invited to run a workshop. It covers information about the process of recognising and reporting child abuse, sexual abuse or neglect. It is important to note that WAYTCo staff are not legally required to make a mandatory report.

### 3. BACKGROUND

WA Youth Theatre Company is committed to the care, safety and protection of all children attending WAYTCo-run activities. This document explains the actions to be taken by staff to protect children in circumstances where abuse is suspected or when allegations of child abuse are made against staff, children or other people in the WAYTCo community.

#### 4. DEFINITIONS

Term	Definition
<b>Child or young person</b>	a person under the age of 18 years.
<b>Child Abuse and Neglect</b>	<p>maltreatment of a person under the age of 18 years. It is the result of action or inaction on the part of a person who has responsibility to care for a child resulting in harm or injury to the child. The harm may include delayed physical and/or intellectual development. The maltreatment experienced is normally described in five categories. Each category of maltreatment is described by a range of indicators.</p> <p>Descriptions of these indicators are provided in 7.13 of this Policy.</p> <ul style="list-style-type: none"> <li>• Physical</li> <li>• Emotional</li> <li>• Sexual</li> <li>• Psychological</li> <li>• Neglect</li> </ul>
<b>Physical abuse</b>	occurs when a child has experienced severe and/or persistent ill-treatment. It can include, but is not limited by injuries such as cuts, bruises, burns and fractures caused by a range or acts including beating, shaking, illicit administration of alcohol and other drugs, attempted suffocation, excessive discipline or physical punishment.
Emotional abuse	a sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement. Children who have been emotionally abused are likely to have a reduced capacity to experience a range of emotions, to express emotion appropriately and to modulate their emotional experience. Children who have been emotionally abused are likely to be fearful,

	withdrawn and/or resentful, distressed and despairing.
<b>Grooming</b>	– 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 abuse.
Sexual abuse	covers a wide range of behaviour or activities that expose or subject a child to sexual activity that is exploitative and/or inappropriate to his/her age and developmental level. These behaviours include observation or involvement with inappropriate fondling of a child’s body, making a child touch an adult’s genitalia, showing pornographic material or sexual acts to a child, and sexual penetration of the child. Harm from sexual abuse may include significant emotional trauma, physical injury, infections and impaired emotional and psychological development.
	<b>Racial, cultural or religious abuse</b> – refers to conduct that demonstrates contempt, ridicule, hatred or negativity towards a child or young person because of their culture, race or religion.
<b>Psychological abuse</b>	sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, isolating, neglecting, discrediting, misleading, disregarding, ignoring and inappropriate encouragement. This abuse damages a child’s intellectual faculties and processes, including intelligence, memory, recognition, perception, attention, imagination and moral development. Children are likely to feel worthless, flawed, unloved, unwanted, endangered or only of value in meeting another’s needs.
<b>Neglect</b>	is the failure of a parent/caregiver to provide a child with the basic necessities of life. These include adequate supervision,

	adequate food or shelter, suitable clothing, effective medical, therapeutic or remedial care and emotional security. Neglect can be acute, chronic or episodic, and can result in detrimental effects on the child or young person’s social psychological, educational or physical development and/or physical injury. Neglect should be considered in the context of physical, emotional or psychological abuse.
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**Physical abuse -**

**Psychological abuse -** is the

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**5. LEGISLATION**

- *Children and Community Services Act 2004*
- *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008*
- *Children and Community Services (Outside School Hours Care) Regulations (2006)*
- *Criminal Code Act (1913)*
- *Criminal Code Amendment (Cyber Predators) Act 2006 \**
- (changes to s204B of The Criminal Code)
- *Working with Children (Criminal Record Checking) Act 2004*
- \* The Criminal Code Amendment (Cyber Predators) Act 2006 is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

**6. POLICY**

All staff have an important role in the identification and appropriate reporting of child abuse and the provision of support and assistance to children who have been abused. Child protection and the prevention of child abuse is a shared community responsibility. This policy recognises that the best interests of children will be met by

collaborating with or engaging the expertise of other government agencies or non-government departments in accordance with existing protocols.

## **6.1 RECRUITMENT AND SELECTION PRACTICES**

- 6.1.1** WAYTCO is diligent about thorough screening, training and supervision processes of all staff and volunteers to ensure the protection of children and young people involved in WAYTCO activities. All Job advertisements refer to WAYTCO as being committed to safeguarding children and young people and/or reference this associated policy.
- 6.1.2** All position descriptions refer to the staff member being aware and working under the guidelines of WAYTCO's Safeguarding Children and Young People Policy along with the Code of Conduct.
- 6.1.3** All applicants (staff and volunteer) who are short-listed for interview are to be asked whether they have ever been a subject of an employer investigation or been charged with a criminal offence involving children, violence, drug dealing or dishonesty.
- 6.1.4** The most recent employer (not necessarily current) of all applicants who are successful in gaining a second interview will be contacted for suitability and screening purposes. This is to be made clear to the applicant at the initial interview, so they are aware that this is a prerequisite of WAYTCO employment.
- 6.1.5** A minimum of two (2) reference checks are to be conducted for all applicants (staff and volunteers) who are successful in gaining a second interview. These should not be written references. Referees should be contacted by telephone and referee contact numbers should be landline and not mobile telephone numbers where possible. The results of these are to be documented, diligently evaluated and placed on file prior to any offer of employment (paid or voluntary) being made. *(Refer to Appendix A: Reference check sample questions).*
- 6.1.6** All successful applicants (staff and volunteer) are required to provide 3 types of evidence of personal identification, one being photographed, prior to any offer of employment (paid or voluntary) being made. Acceptable identification includes a current passport, birth certificate, driver's licence, Medicare/Healthcare/Pension card, student card or notice of tax assessment.

## **6.2 POLICE CLEARANCE & WORKING WITH CHILDREN CHECK**

All WAYTCO staff are required to have a police clearance and a current Working with Children Check (WWC Check), in accordance with The Working with Children legislation. Volunteers who are not parents and have contact with children are also required to have a WWC Check and a National Police

Clearance. Volunteers who are parents are exempt from getting a WWC Check, unless on an overnight activity. However, those who undertake a professional role in the Company are required to have a National Police Clearance and/or WWC Check.

The status of a random selection of staff holding a WWCC will be checked every twelve months by a nominated staff member. WAYTCO will also request employees to update their records with the screening units with regards to a change of employer for those employees with a current card obtained from a previous workplace. These will be validated and recorded prior to employment by the WAYTCO of ALL staff/volunteers who have access to children or young people. Exclusion from employment findings on a police check may include criminal histories of:

- Child abuse
- Child/adult sexual abuse
- Violence
- Child pornography/internet offences involving children
- An undeclared criminal record of any sort
- Misleading or dishonest information

Other areas of concern may be

- Substance abuse
- Major dishonesty/deception

**IMPORTANT NOTE:**

An applicant should not be automatically excluded from a position on the basis of having a criminal record. They may include any charges for criminal activities that do not necessarily pose a risk to children, e.g. Shoplifting. Important factors to take into account include:

- The nature of the offence in relation to the nature of the position being offered
- The length of time since the offence took place as well as the age at which it was committed
- Whether there is evidence of an extended criminal history
- Severity of punishment imposed i.e. whether the person was convicted, found guilty or placed on a bond.

*(Referenced from Childwise: Choose with Care, A handbook to build safer organisations for children 2004, ECPAT Australia)*

A person should have the opportunity to present a case as to their suitability regarding the above.

**6.3 INDUCTION AND TRAINING PROGRAMS**

All new program/service staff and volunteers are to participate in a formal induction program within 30 days of their appointment and are to be provided with access to appropriate written and/or web-based documentation outlining WAYTCO's policies, operating procedures and legislative/regulatory environments as they relate to children's programs/services.

All new program/service staff and volunteers are to be provided with personal copies of the Safeguarding Children and Young People Policy and must sign a confirmation of acceptance form prior to commencing employment. This form acknowledges that the policies have been received, read and understood. This form will also record any updated training on policy changes that is undertaken throughout the term of employment. (*Refer to Appendix B: Staff Confirmation/Acceptance form*). The form shall be retained on the staff member's file.

All new staff and volunteers, during their induction, are also made aware of the risk of child abuse, indicators of child abuse and mandatory notification obligations and responsibilities.

#### **6.4 CONFIDENTIALITY**

WAYTCO staff who have access to information regarding suspected or disclosed child abuse have a clear obligation to observe appropriate confidentiality in relation to the entire matter and an obligation to ensure that this information is kept secure.

#### **6.5 PROTOCOLS**

It should be noted that it is a Policy of WAYTCO that:

- staff members or volunteers are not alone with individual students in areas where they cannot be seen by other staff members or children/young people;
- staff members do not contact students directly on their personal mobile telephones or other direct communication channels without the knowledge and permission of a child's parent;
- staff members or volunteers to not use their private vehicles to transport students without the permission of a child's parent, and
- staff members or volunteers do not invite children to their homes, nor visit them in their homes, without the permission of the child's parent.

### **7. PROCEDURES**

#### **7.1 RECOGNITION & SUSPICION OF PHYSICAL, EMOTIONAL/PSYCHOLOGICAL ABUSE, OR NEGLECT**

**7.2.1** A child or young person may disclose information about abuse or neglect, either privately or publicly. A staff member/volunteer may

perceive there is a concern or believe they have evidence of abuse or neglect.

**7.2.2** The staff member/volunteer may confidentially consult with another staff member/volunteer before they make the formal notification to the Child Protection Officer (CPO)<sup>1</sup>. The current CPO is the General Manager.

**7.2.3** Confidentiality is paramount, and the staff member/volunteer must not investigate child abuse or neglect matters.

## **7.2 REPORTING PHYSICAL, EMOTIONAL/PSYCHOLOGICAL ABUSE, OR NEGLECT**

**7.3.1** A staff member/volunteer who observes or becomes aware through a child's disclosure of physical, emotional or psychological abuse or neglect must report concerns to the General Manager.

**7.3.2** A young person or child who becomes aware of physical, emotional or psychological abuse or neglect of a child must report to a designated member of the Youth Advisory Committee, or a WAYTCO staff member. The YAC member or staff member must then report concerns to the General Manager.

## **7.3 DISCLOSURE IN PRIVATE**

**7.4.1** If a child or young person discloses a situation of abuse to a staff member/volunteer, their role is to reassure and support the child or young person in their decision to disclose. They must assure the child or young person that she has a right to feel safe.

**7.4.2** The staff member/volunteer is not responsible for investigating his or her suspicions or the child or young person's disclosure and the minimum amount of information is to be collected. Other agencies or individuals have this responsibility.

**7.4.3** It is not easy for a child or young person to disclose abuse or neglect as they may previously have been coerced, bribed or threatened into secrecy. They may need repeated reassurance that they are believed and that it was right to tell.

**7.4.4** Sometimes a child or young person will try to elicit a promise that the staff member/volunteer not tell anyone about the disclosure. Do not make this promise. If this happens it is important to explain that you

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<sup>1</sup> The CPO will be a staff member nominated by the WA Youth Theatre Company to provide support and guidance to staff and volunteers when dealing with allegations of abuse. The CPO will also liaise where necessary, with the Department of Child Protection and the Childcare Licensing Unit.

have concerns about their safety and that you have to take action to ensure that they will be protected from further abuse.

**IMPORTANT NOTE:**

A disclosure can often arouse strong feelings in the person to whom the disclosure is being made. Such reactions may include shock, anger and helplessness. It is important for the staff member/volunteer to be aware and in control of these feelings and ensure that they are dealt with following the disclosure.

**7.4 DISCLOSURE IN PUBLIC – PROTECTIVE INTERRUPTION**

**7.5.1** It is possible that a child or young person may start to disclose in a class or with a group of other students. If disclosure begins in a public arena it is important to use the strategy of protective interrupting:

- acknowledge that you have heard the child or young person and stop them disclosing any further, be supportive and gently indicate that she may want to talk to you about it in a more private situation
- quietly arrange to see the child or young person as soon as possible, away from other students
- do not allow other children or adults to ask questions or make judgments.

**7.5.2** A staff member/volunteer’s role is to listen actively to what the child or young person is saying but not push for details.

**7.5 ALLEGATION AGAINST A WAYTCO STAFF MEMBER OR VOLUNTEER**

**7.9.1** In the event that allegations are made against a WAYTCO staff member or volunteer, the General Manager is required to immediately suspend that person (on full pay) from all activities involving the direct supervision of, and/ or direct contact with, children and young people.

**7.9.2** Reinstatement of a staff member or volunteer may only occur after any and all allegations against that person have been dismissed or cleared to the satisfaction of the Board of WAYTCO and any authorised interveners involved in investigations.

**7.6 REPORTING FOLLOWING A DISCLOSURE**

**7.6.1** Once disclosure has been made, the staff member/volunteer needs to determine the child or young person’s immediate need for safety and to consider the emotional state of the child or young person. The staff member needs to:

- Ensure the child is safe in the immediate future
- Refer the matter to the General Manager as soon as possible

## 7.7 DOCUMENTATION

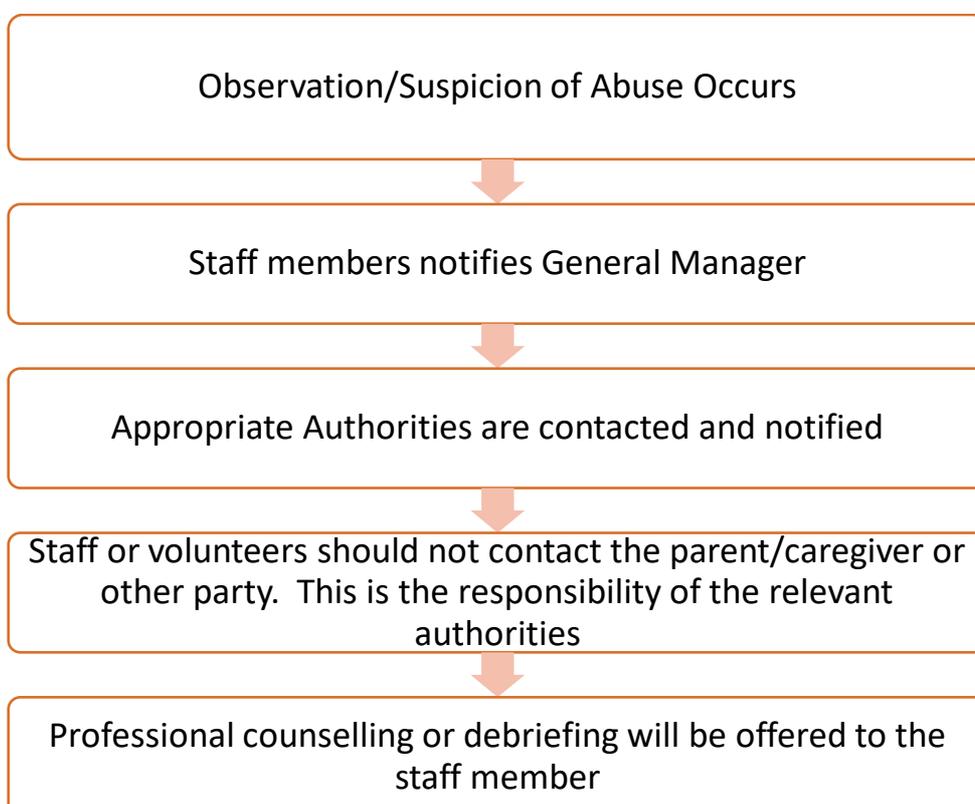
**7.7.1** At the earliest opportunity (within 24 hours) the staff member/volunteer must write brief notes about the incident including dates, the nature of the indications or disclosure, and action taken. These should be placed in a sealed envelope marked “Confidential - General Manager” The General Manager will ensure that any records made while waiting for initial concerns or suspicions to be supported, remain confidential.

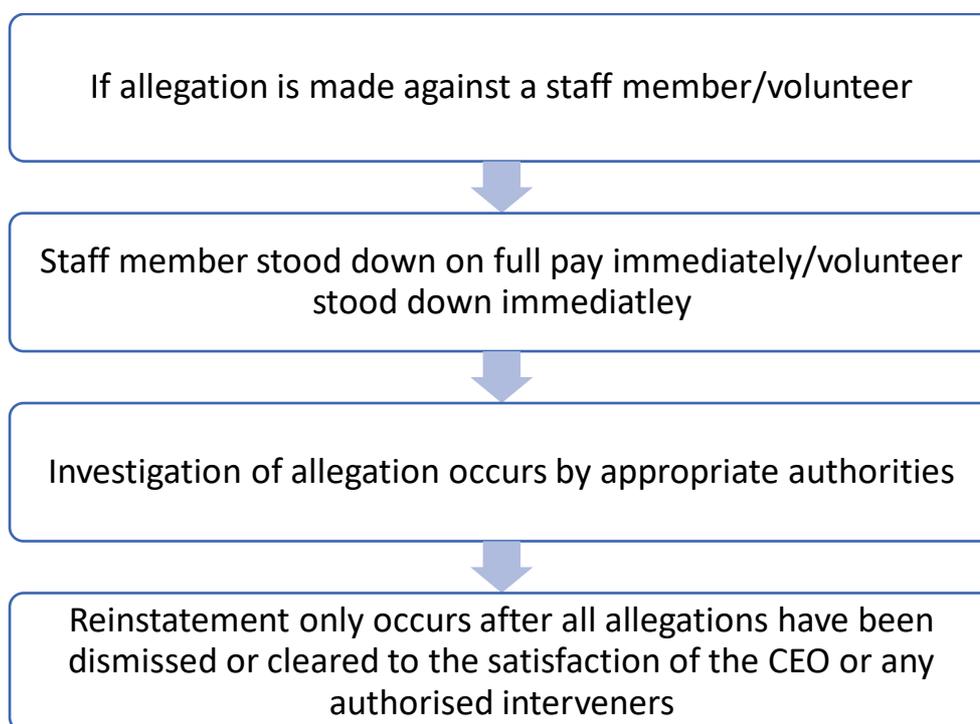
## 7.8 FURTHER ACTION

**7.8.1** Once the staff member/volunteer has reported the situation further action rests with the General Manager, who will:

- Assess the report, obtained from the staff member, volunteer or external party and gather correct and concise information and statements from staff.
- Contact the local Department of Communities - Child Protection and Family Support (DC-CPFS)
- Contact parent or parents, (if advised by the DC-CPFS)
- Place the report in a secure place.

## 7.9 PROCESS CHARTS





## 7.9 DEBRIEFING

It is imperative for staff member/volunteer's well-being that after a disclosure, she or he seeks an opportunity to talk to somebody as soon as possible. The General Manager is the most suitable person, however, if staff prefer to debrief with someone else, they must be mindful that the issues of confidentiality are paramount to protect the child or young person.

## 7.10 MANAGEMENT OF EXTERNAL PARTIES

It is extremely important that staff or volunteers are mindful of the damage that can be caused through gossip and innuendo.

**7.10.1** WAYTCo staff members/volunteers are advised to not inform parents that their child/ren have been maltreated. It is recommended that officers of the Department of Child Protection undertake this task as they are trained and experienced in dealing with these situations and any questions the family may have.

**7.10.2** Details which would identify the alleged perpetrator, or the children and young people involved in allegations should not be disclosed to parents of other children attending WAYTCo activities. Discuss any plans to advise parents of these concerns with Management or the Department of Child Protection before you take this action.

- 7.10.3** Staff who are not immediately involved in the allegation may need to be informed that an allegation has been made. Unless staff are briefed, they will not be aware what procedures WAYTCO is implementing and will not be able to respond appropriately to parent concerns and other issues as they arise.
- 7.10.4** Staff directly involved in the supervision of the person or involved in providing care to the child/ren affected by the maltreatment may need additional information to enable them to fulfil their duties.
- 7.10.5** The decisions of what to tell staff and when to tell them needs careful consideration to ensure confidentiality is maintained and any investigations are not compromised. Staff should consult with the Manager, if they are involved in the investigation, before providing information to staff.
- 7.10.6** Children and young people who have been maltreated may be traumatised or develop behaviours that require additional support. It is important that staff are aware of these issues and monitor the children's behaviour. The Department of Child Protection can assist WAYTCO staff attend to the needs of these individual children and young people.
- 7.10.7** Allegations of maltreatment against a staff member of a service will normally cause strong responses from other staff members. These may include:
- Loyalty to the colleague who is the alleged perpetrator.
  - Disbelief and/or anger towards the child and/or the investigating authorities.
  - Disgust at the idea that a child in their care could be maltreated.
  - Confusion and mixed loyalties to the child/ren and the staff member.
  - Fear that an accusation could be made against them.
  - Sense of failure for not protecting children in their care.
- It is important that during and after an investigation of maltreatment, staff have an opportunity to be debriefed to enable them to deal with these emotions.
- 7.10.8** Allegations of maltreatment in a children's service are contentious and extremely emotional and may attract media attention. WAYTCO will need to plan how to respond if approached. All media responses are to be made by the General Manager only.

## **7.11 MONITORING OF POLICY**

This Safeguarding Children and Young People policy is evaluated on annual basis. Staff are advised of revisions and updates to the policy and it is their responsibility to be aware of all changes.

WAYTCo welcomes feedback on its policies and practice and will ensure feedback is analysed to inform continuous improvement.

### 7.12 COMMUNITY AWARENESS

This policy is published on the Company Website.

### 7.13 INDICATORS OF POSSIBLE CHILD ABUSE AND NEGLECT

The following list of indicators of child abuse and neglect should be used as a guide only and are not exhaustive but contain those indicators which will be of most use to WAYTCo staff members/volunteers. Indicators need to be considered in the context of their consistency with a child's developmental stage, medical history and social context. Any of these indicators may suggest that a child is being or has been abused or neglected. Some indicators may also suggest other emotional trauma. With young children their play or drawings often represent the trauma they are experiencing, and they do not always have the language to express themselves. They may not be aware that what is happening is not normal.

## SEXUAL ABUSE

### Physical Indicators

- Genital or anal bleeding
- Signs of pain or discomfort in the genital or anal areas
- Pregnancy
- Unexplained difficulty in walking or sitting

### Behavioural Indicators

- Disclosure of involvement in sexual activity
- Inappropriate interest or knowledge of sexual matters
- Reports of sexual assault or inappropriate sexual behaviour to a staff member
- Changes in academic performance

## PHYSICAL ABUSE

### Physical Indicators

- Unexplained bruises and welts, particularly on face, lips, mouth, back, torso or on several different body parts
- Shaped or linear bruising
- Unexplained burns shaped or linear
- Unexplained fractures
- Injuries in various stages of healing

### Behavioural Indicators

- Fear of adults, particularly parents
- Startled reflex, cringes when sudden movement by adult
- Behavioural extremes, withdrawn or aggressive
- Afraid to go home
- Reports of injury from child
- Changes in academic performance

## EMOTIONAL ABUSE

### Physical Indicators

- Speech disorders
- Failure to thrive
- Lags in physical development

### Behavioural Indicators

- Habit behaviours not consistent with developmental stage
- Conduct disorders, destructive, violent
- Behavioural extremes
- Changes in academic performance

## NEGLECT

### Physical Indicators

- Consistent hunger
- Unattended physical or medical problems
- Inadequate clothing
- Abandonment

### Behavioural Indicators

- Constant fatigue
- Developmental delays
- Changes in academic performance

## 8. BREACH

If staff members/volunteers breach this policy they may be subject to disciplinary actions.

**Responsibility:** Board

**Review Date:** December 2019

**Next Review Date:** December 2020

## APPENDIX A

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### SAMPLE REFERENCE CHECK QUESTIONS

Name of Applicant

Name of Referee

Date of Reference

Relationship of referee to applicant

Questions

1. Are you related to the applicant YES / NO
2. Is the applicant a personal friend YES / NO
3. Can you please make comment on the skills of the applicant and tell me why you think they would be suited to this position
4. What are the applicant's strengths
5. Do you have any concerns to how the applicant will respond to supervision and direction
6. What do you perceive as the applicant's weaknesses remembering nobody is perfect
7. How confident are you that the applicant will be able to respect the confidentiality of the children, families and young people they will be working with
8. To your knowledge has applicant ever acted inappropriately around young people or children
9. Do you have any concerns about the applicant's motivation to work with children or young people
10. Is there anything else you would like to say about the applicant

Other relevant work-related questions should be added to the reference check and a copy of the questions and answers kept on file within the applicants personal file should they be successful.

Some questions should be behavioural based questions, listen carefully for attitude, tone and hesitancy by the referee. Document each answer.

**APPENDIX B**

**Staff Confirmation/ Acceptance Form**

I, \_\_\_\_\_(Staff Name) have read and understood WAYTCO’s Safeguarding Children and Young People Policy and Procedures and will ensure this policy is implemented during my employment with the WA Youth Theatre Company. I also understand the code of conduct section within the policy

I also understand that a copy of this signed statement will be included in my personal file for future reference.

**Staff Signature:** \_\_\_\_\_  
**Date:** \_\_/\_\_/\_\_

**WAYTCO Staff Induction Use Only:**

This form must be included in the staff personal file.

Annual Refresher Training Record

Date	Venue	Presenter	Supervisor Signature
__/__/200			
__/__/200			
__/__/200			
__/__/200			