

# Child Safe Policy

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Melbourne Recital Centre (the Centre) amends its policies from time to time. This version was correct at **6/9/2023**. To confirm that this is the latest version of this policy, please refer to the Centre's intranet or contact the policy owner.

<b>Policy Owner</b>	Chief Executive Officer
<b>Policy Category</b>	Safety

# Purpose

To outline the Centre's expectation and commitment to creating a child safe organisation, as well as communicate the Centre's approach to compliance of Victoria's *Child Safe Standards*.

# Scope

This policy applies to all employees, contractors, consultants, volunteers, hirers, artists and suppliers engaged by or connected with the Centre where interactions with Children may occur. Children may be connected to the Centre as either audience members or as participants associated with Centre-hosted programs or as participants associated with hirer groups utilising the Centre's spaces. The scope extends to those individuals that may be involved in the collection or management of children's Personal Information or delivery of programs or activity taking place via on-line environments.

# Authority

1. The policy is set and approved by the Board and made under the:
  - a. [Corporations Act 2001](#)
  - b. Melbourne Recital Centre Constitution
  
2. For the purposes of following best practice, this policy is informed by:
  - a. [Commission for Children and Young People \(CCYP\)](#)
  - b. [Australian Human Rights Commission](#)
    - i. [Child Safe Organisations - National Principles](#)
    - ii. [About Children's Rights](#)
  - c. [Victorian Public Sector Code of Conduct \(VPSCC\)](#)
  
3. This policy supports the compliance associated with:
  - a. [Child Wellbeing and Safety Act 2005](#)
    - i. [Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015](#)
    - ii. [Child Wellbeing and Safety \(Information Sharing\) Regulations 2018](#)
    - iii. [Child Safe Standards \(effective 1 July 2022\)](#)
  - b. [Working With Children Act 2005](#)
  - c. [Children, Youth and Families Act 2005](#)
  - d. [Wrongs Act 1958](#)
  - e. [Crimes Act 1958](#)
  - f. [Victorian Charter of Human Rights and Responsibilities Act 2006](#)
  - g. [Public Administration Act 2004 \(PAA\)](#)

This policy should be read in conjunction with the Centre's other integrity- and safety-related policies on:

1. Complaints & Public Interest Disclosure
2. Workplace, Health & Safety
3. Child Safe

## Policy

1. The Centre is an inclusive and welcoming environment that supports the safety, participation, empowerment and wellbeing of all children. In particular, the Centre will:
  - a. Treat all children with respect and dignity;
  - b. Promote the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds;
  - c. Provide a safe environment in which children with a disability can participate equally; and
  - d. Recognise and adapt to the needs of children and communities.
2. The Centre has a zero-tolerance approach to the harm and abuse of children and will:
  - a. Communicate its commitment to child safety and wellbeing (refer Appendix A);
  - b. Take a proactive, risk-based approach to the prevention of child abuse by identifying, removing and/or reducing risks early, particularly with respect to venue hire, programming, general operations (front- and back-of-house), procurement and recruitment of personnel and contractors; and
  - c. Inform how its approach conforms to the Victoria's *Child Safe Standards* (refer Procedural Principles).
3. The Centre is committed to ensuring individuals feel supported to raise safety, welfare and wellbeing concerns of children. In particular, the Centre will:
  - a. Appoint and train Child Safety Officers to assist in complaint making;
  - b. Ensure appropriate child safe information, procedures and practices are accessible, easy to understand, culturally sensitive and child-friendly;
  - c. Treat all allegations and safety concerns relating to child abuse very seriously and respond promptly;
  - d. Adopt the protocols outlined for either Complaint or Incident management depending on the nature and severity of the breach; and
  - e. Consider engaging third party consultants with requisite expertise to conduct external investigations for complex cases as required.

4. Individuals must behave ethically and professionally in the company of children and avoid actions or behaviours that could be construed as child harm or abuse. In summary, individuals must report and not condone issues relating to child safety, harm or wellbeing. Individuals also have a positive duty to avoid:
  - a. Using language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally insensitive;
  - b. Exploiting or harassing children in anyway;
  - c. Inappropriate or unauthorised physical or on-line contact with children, including via social networking sites;
  - d. Developing special relationships that could be interpreted as favouritism; or
  - e. Isolating children or preventing them from developing friendships contacting their family or support networks.
  
5. The Centre will maintain the integrity, security and confidentiality of records relating to Complaints or Incidents, in accordance with its policies on Privacy, Information & Data Management, Complaints & Public Interest Disclosure, and Workplace, Health & Safety.
  
6. The Centre will meet its legislative or external Reporting obligations when handling Complaints which may be contrary to the wishes of the individual making a Complaint if it is required to protect the wellbeing of children or is in the individual's best interest.
  
7. Any breaches of this policy should be referred to a Child Safety Officer, HR Manager or CEO in the first instance where an initial investigation will occur to determine subsequent action.

It should be noted that for employees of the Centre, breaches may constitute serious misconduct under the *PAA* and/or *Fair Work Regulations 2009* or be considered criminal behaviour under the *Crimes Act 1958*. Misconduct will lead to disciplinary action which may involve dismissal or termination of contracts.

# Procedural Principles

## *Culture & Values*

### **Diversity, Inclusion & Equity**

The Centre values deeply respect, integrity, diversity and inclusion for all people including children. We have zero tolerance for abuse, harassment, discrimination and racism in all forms. Our commitment is referenced in [Our Values](#) statement and [Respectful Behaviours](#) policy which are accessible on the Centre's website.

The Centre is also active in developing strategic plans that address equity issues such as *Access & Inclusion Plan* in which we strive to make performances, services and facilities accessible for everyone. Our [Access](#) information caters to linguistically diverse groups and those groups with disability.

The Centre hosts music events and artist programs taking care to reflect the diversity of the community in which we operate. The Centre is predominantly a venue for experiencing live music aimed at people of all ages. While child- or young-person focused programs make up approximately 25% of all events staged by the Centre, approximately 5% of all visitors to the Centre comprise children, young people and their families.

Through our [Learning & Access](#) initiative we have programs, workshops, classes and events that are specifically aimed at children, young artists, families, teachers, and aged care and are delivered in hybrid mode (both physical and online environments). The Centre also produces supplementary learning resources across a range of media to support the music experience for everyone of different ages. We take care to ensure participation by vulnerable groups such as children with low vision and disability, special development schools and schools from regional Victoria, refer more detail in our [Annual Reports](#). Such programs are developed in consultation with relevant peak bodies or specialists to ensure program content is appropriate and safe for children.

[Supports Child Safe Standards 1, 5, 11]

### **Culturally Safe Environment for Aboriginal Families**

The Centre is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included. The Centre houses the Dulka Warngiid (Land of all) tapestry (2008-9) by seven women artists from Bentinck Island in the Gulf of Carpentaria as well as contemporary art works on loan that celebrate First Nations artists. Aboriginal and Torres Strait Islander stories and artists are the focus of numerous Centre-hosted events and festivals and provide opportunities for Aboriginal children to share their identity and enjoy their cultural rights. These include hosting festivals such as *Yinga-Bul* and *Yirramboi* which celebrate Indigenous culture.

The Centre embeds Aboriginal leadership at Board level and has developed a [Reconciliation Action Plan](#) that acknowledges, respects and celebrates Indigenous culture and is embedded into the Centre's operations. This extends to prioritising Indigenous artists, musicians, services and suppliers where possible to redress equity issues. Further strategies to embed cultural safety for Aboriginal children include: *Acknowledgement of Country* at performances, where possible, and acknowledging significant events such as *National Aborigines and Islanders Day Observance Committee (NAIDOC)* and *National Reconciliation Week*.

[Supports Child Safe Standards 1, 5, 11]

### **Empowerment & Participation - Children, Families & Community**

The Centre recognises the important role that families, parents and carers play when making decisions involving their child. In the development of new child-focussed programs, the Centre ensures that families and relevant peak bodies are consulted for direct input to ensure they are tailored to the specific needs of children (eg Vision Australia is consulted for music programs aimed at low vision children).

At the conclusion of the programs, children and their families are specifically encouraged to make contributions and are given opportunities to provide feedback directly to the Program Manager, via specific post-program on-line surveys or via general feedback through the website. Feedback and contributions are reviewed and used for continuous improvement. Regular surveys published in our [Annual Reports](#) indicate our audiences have an overwhelming positive visitor experience.

The Centre takes care to ensure that all relevant child safe policies, codes and commitment to safety are easily accessible on our website to provide assurance of the Centre's Duty of Care. At the start of child-focussed programs, the Learning & Access Manager (who is also the designated Child Safety Officer) is introduced to the group and provides a verbal disclaimer about safety and who to contact in the event of problems or concerns. Information is also included on the website about the Child Safe Policy, Commitment to Child Safety, and Child Safe Complaint, Incident & Information Sharing Procedure. Information posters within the Centre provide instruction on who to contact in the event of child welfare concerns.

[Supports Child Safe Standards 3, 4, 11]

## **Governance**

### **Role of Committees**

The Centre has two main committee structures in which to champion and model a positive child safe culture. The Senior Leadership Team (SLT) is chaired by the CEO and involves the Heads and Directors of all aspects of the Centre's functions (Corporate Services, Operations, Programming, Marketing & Visitor Experience, Development). This committee sets the tone and the culture expected of its leaders and behaviour expected within their teams. Everyone at the Centre has a role in identifying and managing child abuse risks through conducting risk assessments and is empowered to raise or report concerns.

The second committee is the Workplace, Health & Safety (WHS) which seeks to actively embed, monitor and review the child safe frameworks, policy, child safe risk management plan, child safe training plans as well as provision of management reports to Board for continuous improvement (de-identified and anonymised for personal or sensitive information). The WHS committee operates with delegated authority and can bring in the experience of other individuals or experts or consult outside of the committee, as required. This committee reviews child safe issues at a high level only and does not have case or complaint management as a part of its remit.

Specific complaint, incident and case management is limited to a sub-set of the WHS Committee comprising the CEO and HR Manager who receive complaints or reports of incidents and then assess the response and action requirements. If a more complex investigation is required, the CEO & HR Manager may then broaden the team required to review the issue, on a case-by-case basis eg members of the WHS, SLT, Child Safety Officers or external consultants. This approach helps to prioritise children's safety and ensure timely action is taken by flexibly deploying the appropriate resources, preserving confidentiality and complying with legislative reporting requirements including information sharing obligations. It is also of benefit that both the CEO and HR Manager are members of the WHS and can provide direct input, without betraying confidentiality, for improved decision making given their proximity to case management issues.

[Supports Child Safe Standards 2, 10, 11]

### **Expected Behaviour**

The Centre is governed by the *Victorian Public Sector Commission Code of Conduct*, and displays its *Commitment to Child Safety* and *Child Safe Policy* on the website. Individuals connected to the Centre are expected to comply with this policy. This is directly or indirectly referenced as a part of compliance requirements involving staff employment contracts as well as third party contract agreements or letters of engagement prior to delivery or receiving of third-party services/supplies. The policy also contains clauses (section 4) that indicate appropriate and inappropriate behaviours.

[Supports Child Safe Standards 2, 5, 11]



## Risk Management

The Centre recognises the importance of identifying and management child safety risk in physical and online environments through regular risk assessments. A Child Safety Risk Management and Action Plan has been developed in consultation with staff and endorsed by the WHS committee for CEO approval. Risk controls are created and implemented to best balance the need to manage harm with the benefits of participating in the Centre's programs and events. These controls can take many forms such as policies, procedures, controlling or supervising access to information and people, display of signage alerting people to where to find help or resources as well as the screening/ training of people etc.

Where appropriate, hirers, artists and third-party contractors are asked to provide information via Workplace Health & Safety surveys and/or return risk assessment documentation to mitigate against child safety risks as a part of finalising agreements with the Centre. Third parties are asked to comply with the Centre's Child Safe policy. Hirers may be asked to ensure they have someone qualified to supervise children and young people for their event, if applicable. Alternatively, the Centre may take responsibility for appropriately screening, supervising or limiting physical access of third parties such as on-site contractors away from child-focussed events prior to engagement of services. (Refer also appropriate qualification in Recruiting Staff section).

The Centre ensures that on-line environments are appropriated monitored by moderating social media posts, selecting the appropriate privacy settings for the digital content, ensuring only authorised photos and videos are used with consent of the image owner and storing information securely. Disclaimers for all of the Centre's channels include references to inappropriate behaviour not being tolerated.

[Supports Child Safe Standards 2, 9, 10, 11]

## Review

The WHS committee will undertake an annual *light touch* review of how effectively the Centre is delivering on child safety and wellbeing policy taking care to complete a more *formal* detailed review every three years. The formal review will coincide with the triennial review of the Child Safe policy and its procedures to ensure all documentation is updated concurrently.

The annual review will involve reviewing progress made against the current Child Safe Risk Management Plan (including future actions over a three-year timeframe), progress made against the Child Safe Training Plan as well as updating any relevant collateral materials such as signage. The formal review will involve updating a new Child Safe Risk Management Plan for the next three years as well as updating the Child Safe Training Plan.

Input into reviews will also be collected from staff from all aspects of the Centre activity including operations (front- and back-of-house), programming, venue hire etc as well as general feedback and post-show surveys (which encompass view of patrons, audience, children and their families).

In addition, responses to child safety incidents, complaints, breaches, near-misses will be analysed at a high level by the WHS committee for trends with the view of making continuous improvements back into the plans identified above. The findings from these reviews will be reported back to the Centre to inform staff of the changes and to keep the Board informed via management reports or requests to approve changes to policy. Changes to procedures and Child Safe related plans will be approved by the CEO.

[Supports Child Safe Standards 2, 5, 7, 8, 10, 11]

## ***People***

### **Child Safety Officers**

The Centre has appointed six Child Safety Officers with the responsibility for responding to any child safety related complaints, incidents or concerns. These people occupy the position of Director of Corporate Services, HR Manager, Learning & Access Manager and Concert Event Managers (three roles). The Learning & Access Manager is always introduced to children and young people for the child-focused programs hosted by the Centre so this cohort know who to contact in the event of an issue. For other child-focused events not arranged by the Learning & Access Manager, the Concert Event Managers are on hand to field enquiries or document concerns from hirers or family members of affected children, given children are most likely to make their concerns known to these groups ahead of the Centre staff. Child Safety Officers can be contacted via the information displayed on *Commitment to Child Safety*. Alternatively, children can approach any staff member who will take them to a Child Safety Officer. If a person does not feel comfortable making a report to the Child Safety Officer, they may report their concern to the HR Manager or the CEO.

[Supports Child Safe Standards 2, 11]

### **Recruiting Staff**

The Centre manages the risk associated with recruiting staff and casuals by following up on at least two reference checks for hired positions and completion of police checks for all staff and casuals prior to issue of employment offers. In addition, all staff engaged at the Centre are required to have a valid Working-With-Children-Check (WWCC). Where required, qualifications of staff will also be independently validated where these are specifically relevant for child related work. The Centre also acquires the services of third parties who facilitate program or class delivery in the Centre's *Learning and Access* initiative as teachers, instructing musicians and mentors. These groups are engaged by Letter of Agreement and are paid for their services. They are required to have a valid WWCC check or be registered with Victorian Institute of Teaching (VIT) as a condition of their engagement. New facilitators engaged by (and not previously known to) the Centre are also screened via reference checks. In keeping with common practice, teachers are encouraged to make an audio record their tutorial for the

purpose of reference material that enables the young person to continue their learning after the class has ended. More information is outlined in our Recruitment & Onboarding and Screening & Vetting procedures.

The Centre does not engage the services of volunteers directly but will come into contact with volunteers associated with hirer groups who have contracted with the Centre to use facilities and venue. In this scenario, hirers are asked to provide their risk management documentation and risk mitigation strategies with respect to child safety. The Centre will occasionally host student interns who are supported by the Centre's policy of all staff requiring valid WWCC.

[Supports Child Safe Standards 2, 6, 11]

## **Supporting Staff**

In addition to fostering a positive workplace culture, the Centre supports staff making sure they are properly inducted with respect to employment- and safety-related policies and practices to ensure individuals understand their responsibility in relation to all expected appropriate behaviours. Information will be made accessible by posting information on the Centre's intranet and/or HR enterprise systems.

The Centre assists its leaders and staff to speak freely on any child abuse and harm issues and ensure it responds to concerns in a prompt and manner. The Centre empowers individuals to incorporate child safety considerations into risk management and decisions and promotes a safe environment where children are empowered to speak up about issues that affect them.

Management ensures that staff have training plans set according to their role or arranges for on-the-job training if there is a significant component of an individual's role is required to engage with children. Training requirements will be outlined in the Centre's Child Safe Training Plan and will be reviewed periodically by the WHS committee and HR. Those staff appointed as Child Safety Officers are given additional training to identify signs of abuse or harm as well as assist individuals in bringing forward complaints.

[Supports Child Safe Standards 2, 6, 8, 11]

## ***Complaints***

### **Reporting**

The Centre is committed to making and keeping full and accurate records about all child-related complaints, breaches, incidents or safety concerns including 'near misses'.

The information will be filed securely and confidentially on the HR share drive which is only able to be accessed by HR personnel and the CEO. Any hard copy incident forms that are completed by the Child Safety Officer will be passed onto HR who will scan the information, save onto the HR share drive and destroy the hard copy. Any electronic copy of the incident form should be created on the personal drive and sent to HR for electronic filing on the HR

share drive and then deleted from the personal drive. The guiding principles by which a complaint or incident is handled is outlined in the Complaints & Public Interest or Workplace, Health & Safety policies respectively.

Records and information will be kept even if an investigation does not substantiate a complaint. The Centre will record and keep the outcome of any investigations, and the resolution of any complaints. This may include finding made, reasons for the decision and action taken. The records will be treated as a permanent record for the purposes of meeting the Victorian Government guidelines for public sector entities like the Centre and in keeping with our Information & Data Management policy.

[Supports Child Safe Standards 2, 7, 11]

### **Information Sharing**

The Centre may share relevant information to promote the safety and wellbeing of children, where it is appropriate and in their best interests. The Centre will keep information on complaints and breaches of incidents confidential, except where it is necessary to share information to respond properly and fully to a complaint or to prioritise child safety. The Centre may also need to share information about incidents or complaints with external authorities in order to comply with the law or prioritise safety. The relevant external authorities we may be contact with include involving to the Victorian Police or the regulator, Commission for Children and Young People. In some circumstances, the Victorian Government may also need to be briefed. More information can be gained from our Child Safe Complaint, Incident & Information Sharing procedure.

[Supports Child Safe Standards 2, 4, 7, 11]

### **Disciplinary Action**

The Centre will enforce the Child Safe policy and any other procedure or practice that protects child safety and wellbeing (refer Internal References). Potential breaches by anyone will be investigated and may result in disciplinary action that can range to include one or more of the following controls: removal of access and privileges, increased supervision, transfer to an alternative role, suspension, termination or being banned from the Centre. More information can be found in our Performance Management policy that address disciplinary procedures.

[Supports Child Safe Standards 2, 7, 11]

# Roles & Responsibilities

<b>Board</b>	For exercising specific authority in setting and approving this policy.
<b>Chief Executive Officer (CEO)</b>	For exercising specific authority under the policy and for providing organisational leadership which encourages awareness, promulgation and compliance to frameworks, policies and procedures including complaint handling and external reporting and legislative obligations. The CEO would have the equivalent status of person of authority within the organisation. Relevant committees involved in governance include the Workplace Health & Safety (WHS) Committee, Senior Leadership Team (SLT) and the Board.
<b>Director of Corporate Services (DCS)</b>	For provide operational support to the CEO in the maintenance of frameworks, training plans, policy and procedures, via the services and contributions of HR Manager (for specific case management) and Governance Project Manager (for policy and frameworks). The support is heavily guided by the recommendations and oversight of the Workplace Health & Safety Committee.
<b>Policy Owner</b>	For providing advice to the Centre's employees, contractors and volunteers on the intent and operation of the policy for which they are responsible; for identifying potential changes and updates to the policy; and for leading the process of change and approval for updating and implementation of frameworks, policies and procedures on recommendation by the Workplace Health & Safety Committee.
<b>Child Safety Officer</b>	For providing specialist support and facilitating complaint management for individuals who wish to report actual or near-miss child abuse or harm. The Child Safety Officers work under guidance from the CEO and HR Manager who make decisions on how to triage incidents to follow either complaint or incident management protocols.

# Internal References

<b>Access &amp; Inclusion Plan</b>	[pending]
<b>Child Safe &amp; Wellbeing Commitment Statement</b>	<a href="#">Melbourne Recital Website</a> Refer also Appendix A
<b>Child Safety Complaint/ Incident Form</b> (use WHSF 009 Incident Form within Workplace Health & Safety Framework)	<a href="#">Tempo</a>
<b>Child Safe Complaint, Incident &amp; Information Sharing Procedure</b>	[pending]
<b>Child Safe Risk Management Action Plan</b>	[pending]
<b>Child Safe Training Plan</b>	[pending]
<b>HR Procedures</b> - Recruitment & Onboarding - Disciplinary - Screening & Vetting (Working With Children & Police Check)	[pending]
<b>Other Collaterals</b>	TBC
<b>Policies</b> - Information & Data Management - Performance Management - Privacy - Procurement - Complaints & Public Interest Disclosure - Respectful Behaviours - Risk Management - Venue Hire - Workplace Health & Safety	<a href="#">Tempo</a>

# Definitions

<b>Aboriginal</b>	Means any person who is or identifies as Aboriginal or of Torres Strait Islander descent; or is accepted as such by an Aboriginal or Torres Strait Islander community.
<b>Child/Children</b>	Any person under the age of 18 years.
<b>Child Abuse</b>	Any of the following acts committed against a child including: a sexual offence; an offence under section 49B of the Crimes Act 1958 such as grooming; infliction of physical violence; serious emotional or psychological harm; and the serious neglect.
<b>Complaints</b>	<p>An incident or expression of dissatisfaction related to one or more of the following:</p> <ol style="list-style-type: none"> <li>1. Services or interactions with individuals;</li> <li>2. Allegations of abuse or misconduct by a staff member, contractor, volunteer or other individual associated with the Centre;</li> <li>3. Disclosure of abuse or harm made by an individual;</li> <li>4. Conduct of an individual at the Centre;</li> <li>5. Inadequate handling of a prior concern;</li> <li>6. General concerns about the safety of a group of individuals or activity.</li> </ol> <p>Most complaints are initiated at an individual's request which is then received, investigated, handled and resolved. The matter may be internally investigated or externally investigated with the expertise of third-party specifically engaged for that matter. Depending on the nature of the complaint, there may be an additional mandatory requirement imposed on the Centre to notify or formally report to external organisation or regulator (eg the Victorian Government, Victorian police).</p> <p>Complaints may be <i>informal</i> in which there is a focus on resolution of the matter whereas <i>formal</i> complaints focus on proving that the complaint is substantiated.</p> <p>Complaints that relate to improper conduct and serious professional misconduct of the public sector can be made directly to IBAC, outside of the Centre, in the form of a disclosure. In this scenario, a very specific process will be followed as dictated by IBAC investigations.</p>
<b>Cultural Safety - of Aboriginal children</b>	The practice of fostering an environment whereby Aboriginal or Torres Strait Islander children are encouraged to express their culture and enjoy their cultural rights, free of racism and discrimination. Organisations that support and celebrate the expression of Indigenous culture and identity, as well as

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<b>- of children from culturally and/or linguistically diverse background</b>	<p>advocate for their safety and wellbeing are more likely to increase trust and enable Aboriginal children to speak up and disclose if they feel or are unsafe.</p> <p>The practice of fostering an environment which is spiritually, socially and emotionally safe, as well as physically safe for children of diverse backgrounds; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need.</p>
<b>Duty of Care</b>	<p>This is the legal obligation to exercise reasonable care to avoid acts or omissions that could expose a person to a reasonably foreseeable risk of injury.</p>
<b>Harm</b>	<p>This is damage to the health, safety or wellbeing of a child or young person, including child 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, arising from a series of acts or events over a period of time.</p>
<b>Incident</b>	<p>Similar to complaint except that the event is not necessarily brought forward at the request of an individual who has expressed dissatisfaction.</p>
<b>Personal Information</b>	<p>Information or opinion that refers to a particular individual or could be used to easily identify a person. It usually includes information relating to contact and identifying details (name, address, phone number, date of birth, signature, email address); bank, tax and superannuation details; employment conditions, salary or wages, leave accrual and use etc.</p>
<b>Reporting</b>	<p>There are legislative requirements that compel an organisation to report child abuse to relevant authorities whether it be reporting to the Victorian Police, Child Protection or other regulator. Relevant legislation and obligations for the Centre include:</p> <p><i>Failure to Disclose</i> - Adults in Victoria who have reasonable belief that an adult has committed a sexual offence against a child under 16 must report that information to Victoria Police. (Refer <i>Crimes Act</i>)</p> <p><i>Failure to Protect</i> - People of authority in an organisation 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. (Refer <i>Crimes Act</i>)</p> <p><i>Duty of Care</i> - A department is presumed to have breached its duty of care of a child (that has been abused by an individual associated with a department) unless it can prove that it took 'reasonable precautions' to prevent the abuse in question. (Refer <i>Wrongs Act</i>)</p>

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*Reportable Conduct* - the Secretary of the department or Secretary's delegate must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or psychological harm or significant neglect by an employee or volunteer towards a child. The department is legally required to notify the Commission for Children and Young People of such allegations which is the appropriate regulator governing the services of the Melbourne Recital Centre.

*Reportable Conduct* is distinct from *Mandatory Reporting*. The latter is requirement for certain professions such as doctors, nurses, midwives, teachers, youth justice officers etc to report child abuse and harm to the relevant regulator. (Refer *Child Wellbeing & Safety Act*)

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**Young Person** This phrase is used to refer to a person 16-18 years.

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## Version History

Version	Approved By	Effective Date	Sections Modified
1	Board	30 August 2022	Triennial review of Child Safe policy to update for new Child Safe Standards effective 1 July 22.
2	Governance Project Manager	11 April 2023	Inclusion of VIT registration as equivalent alternative to WWCC.
3	Governance Project Manager	6 September 2023	Update of Principle relating to Cultural Safe Environment for Aboriginal Families.
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## Appendix A:

# Commitment to Child Safety & Wellbeing

All children and young people have the right to feel and be safe, respected, valued and be protected from harm. The Melbourne Recital Centre is strongly committed to creating a child safe environment and we have a zero-tolerance approach to child abuse. Keeping children safe is everyone's responsibility including employees, contractors and volunteers working at the Centre as well as program or event participants such as hirers, artists or members of the audience.

We are committed to ensuring the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as creating a safe environment for children with disability. We aim to empower children and young people by taking their concerns seriously, informing them of their rights and enabling them to participate in decisions that affect them.

All allegations and safety concerns are treated seriously and consistently through our policies and procedures that comply with the [Child Wellbeing and Safety Act \(2005\)](#) and its related legislation such as [Child Safe Standards](#). Our aim is to prevent child abuse by identifying risks and taking steps to remove or reduce those risks as soon as practicable. In addition, persons engaged by the Centre must adhere to the *Child Safe Policy* and hold a valid Working-With-Children-Check.

The Centre has appointed Child Safe Officers and are the first point of contact for all enquiries in relation to the safety and wellbeing of children engaged at the Centre. They are appointed from the following departments including:

1. Concert and Event Managers
2. Learning and Access Manager
3. Human Resources Manager
4. Director of Corporate Services

To get in touch with a Child Safe Officer, please contact the Melbourne Recital Centre on +61 3 9699 2228 or contact us through the Melbourne Recital Centre enquiry page.