



Sale City Band
Child Safe Policy

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1. Introduction

The Sale City Band holds the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our organization.

The Sale City Band acknowledges and understands that child safety is the responsibility of every person and is an integral aspect of young members' wellbeing. The band aims to work collaboratively with parents, young members and other community members to ensure a safe band environment.

All young members have the right to expect that the band will always act to protect them from any kind of harm during all band organized activities and functions.

The purpose of this policy is to demonstrate the strong commitment of Sale City Band to the care, safety and wellbeing of all young members at our band. It provides an outline of the policies, procedures and strategies developed to keep young members safe from harm, including all forms of abuse in our band environment, on the band premises, online and in other locations provided by the band.

2. Purpose of the Policy

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in Ministerial Order No. 870.

This policy applies to band members, volunteers and visitors.

3. Principles

The following principles underpin Sale City Band's commitment to child safety:

- All young members deserve, as a fundamental right, safety and protection from all forms of abuse.
- All adults in the band environment, including members, tutors, volunteers, and contractors, have a responsibility to care for young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of young members are based on honest, respectful and trusting relationships between adults and young people.
- Policies and practices demonstrate compliance with legislative requirements.
- Members, tutors, volunteers, parents and young members should feel free to raise concerns about child safety, knowing these will be taken seriously by the band committee of management.
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

4. Definitions used in this Policy

Band refers to the Sale City Band and includes all groups authorized by the band's committee of management in particular the Sale Brass Academy

Band Leadership refers to the Sale City Band Committee of Management

Band environment means any physical or virtual place made available or authorised by the band governing authority for use by a young member. This includes:

- the band hall and surrounds
- online band environments (including email and social media)
- other locations provided by the band for a young member's use (including, without limitation, locations used for band camps, performances, rehearsals, competitions, and social functions). (Ministerial Order No. 870)

Young Member: a child or a young person enrolled as a band member or participating in band organized activities.

Child abuse includes:

- any act committed against a child involving:
 - a sexual offence
 - an offence under section 498(2) of the Crimes Act 1958 (grooming)
- the infliction, on a child, of:
 - physical violence
 - serious emotional or psychological harm

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. (Ministerial Order No.870)

Child physical abuse Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.

Child sexual abuse includes:

- Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse.
- any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a tutor); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse. (Safe Schools Hub)

Reasonable Belief: When band members are concerned about the safety and wellbeing of a young person, they must assess that concern to determine if a report should be made to the committee of management. This process of considering all relevant information and observations is known as forming a '*reasonable belief*'. 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.

5. Policy Commitments

All young people participating with the Sale City Band have the right to feel safe and be safe in the band environment. The wellbeing of young people in the band's care will always be its first priority and do not and will not tolerate child abuse. The band aims to create a child-safe and child-friendly environment where young people are free to enjoy their time without any concern for their safety.

Our commitment to our young members

- We commit to the safety and wellbeing of all children and young people participating in band activities.
- We commit to providing children and young people with positive and nurturing experiences.
- We commit to listening to young members and empowering them by taking their views seriously, and addressing any concerns that they raised.
- We commit to taking action to ensure that children and young people are protected from abuse or harm in the band environment.
- We commit to make children and young people aware of the necessary skills and knowledge to understand and maintain their personal safety and wellbeing in the band environment.
- We commit to seeking input and feedback from young members regarding the creation of a safe band environment.

Our commitment to parents and carers

- We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children in the band environment.
- We commit to engaging with, and listening to, the views of parents and carers about our child-safety practice, policies and procedures.
- We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- We commit to acknowledging the cultural diversity of students and families, and being sensitive to how this may impact on children's safety issues.
- We commit to continuously reviewing and improving our systems to protect children from abuse in the band environment.

Our commitment to our members and volunteers

- We commit to providing all Sale City Band members with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and young people's protection and wellbeing. This will include annual training in the principles and intent of the *Child Safe Policy* and *Child Safety Code of Conduct*, and member responsibilities to report concerns.
- We commit to listening to all concerns voiced by Sale City Band members, and volunteers about keeping young people safe from harm in the band environment.

6. Responsibilities and Organisational Arrangements

All Sale City Band members and volunteers have a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all young members is at the forefront of all they do and every decision they make.

The band has allocated roles and responsibilities for child safety as follows:

6.1 Guide to Responsibilities of Band Leadership

The band committee of management recognises its particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety.

Responsibilities include:

- creating an environment for young people to be safe and to feel safe
- upholding high principles and standards for all members, and volunteers
- promoting models of behaviour between adults and young people based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of tutors
- ensuring that band members have regular and appropriate learning to develop their knowledge of openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing
- ensuring the band meets the specific requirements of the Victorian *Child Safe Standards* as set out in Ministerial Order No. 870.

6.2 Guide to Responsibilities of Band Members

Responsibilities of band members and volunteers include:

- treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- following the legislative and internal band processes in the course of their work, if they form a reasonable belief that a child or young person has been or is being abused or neglected
- providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- assisting children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the band's *Child Safety Code of Conduct*.

6.3 Organisational Arrangements

Sale City Band has appointed a Child Safe Officer who will ensure the Child Safe strategies are embedded in our band's culture. The officer will report back at committee meetings, as necessary.

7. Expectation of Members - Child Safety Code of Conduct

Sale City Band expects members and volunteers to proactively ensure the safety of young people at all times and to take appropriate action if there are concerns about the safety of any child at the band. All band members must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. A *Safeguarding Children and Young People Code of Conduct*, (Appendix) has been developed which recognises the critical role that band members play in protecting the young people in our care and establishes clear expectations of band members and volunteers for appropriate behaviour with children in order to safeguard them against abuse.

The Code also protects band members through clarification of acceptable and unacceptable behaviour.

8. Child Safety and Participation

Sale City Band actively encourages all young members to openly express their views and feel comfortable about giving voice to the things that are important to them.

We listen to and act on any concerns young people, or their parents or carers, raise with us.

9. Reporting and Responding

The band has established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a child.

All concerns are addressed to the committee of management and/or the band Child Safe officer.

10. Screening and Recruitment of Band Tutors

Sale City Band will apply thorough and rigorous screening processes in the recruitment of tutors and volunteers involved in child-connected work. Our commitment to child safety and our screening requirements are included in all advertisements for such tutor and volunteer positions, and all applicants are provided with copies of the band's *Child Safety Code of Conduct* and the *Child Safety Policy*.

When recruiting and selecting employees, and volunteers involved in child connected work all reasonable effort will be made to:

- confirm the applicant's *Working with Children Check*
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the job and working with children.

The band has processes for monitoring and assessing the continuing suitability of members and volunteers to work with children, including regular reviews of the status of *Working with Children Checks*

11. Child Safety - Induction for Band Members

Sale City Band provides members and volunteers with regular and appropriate opportunities to develop their knowledge of openness to and ability to address child safety matters. This includes induction to ensure that everyone understands their obligations and responsibilities.

12. Risk Management

Sale City Band is committed to proactively and systematically identifying and assessing risks to child safety in the band environment, and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

Sale City Band's Child Safe Officer will ensure that risk management assessments and strategies regarding child safety are implemented.

13. Relevant Legislation

Children, Youth and Families Act 2005 (Vic.)

Working with Children Act 2005 (Vic.)

Education and Training Reform Act 2006 (Vic.)

Equal Opportunity Act 2010 (Vic.)

Crimes Act 1958 (Vic) - Three new criminal offences have been introduced under this Act:

- Failure to disclose offence: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- Failure to protect offence: The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Grooming offence: This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

14. Breach of Policy

Where a member is suspected of breaching any obligation, duty or responsibility within this Policy, Sale City Band committee of management may start the process under *Division 2* of the *Sale City Band Constitution (2012)*. This may result in disciplinary consequences.

Where any member of the band is suspected of breaching any obligation, duty or responsibility within this policy, the committee of management is to take appropriate action, including in accordance with the appropriate legal requirements.

15. Review of this Child Safety Policy

Sale City Band is committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

A history of updates to the policy will be maintained.

Date	Comment (e.g. major review, minor review)
February 2017	Policy first published
February 2018	Minor review
February 2019	Major review

16. References

Safe Schools Hub 2014, *National Safe Schools Framework Glossary*, Australian Government Department of Education and Training.

State of Victoria 2016, *Child Safe Standards- Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. 52

Victorian Government Department of Justice 2016, *Betrayal of Trust Implementation*.

17. Appendix

Safeguarding Children and Young People Code of Conduct

Sale City Band 2017

We envisage a band community where all feel safe, happy and accepted; where all young people have their talents and interests celebrated and developed.

Purpose

This Code of Conduct has a specific focus on safeguarding children and young people participating with Sale City Band against sexual, physical, psychological and emotional abuse.

All members and volunteers are expected to actively contribute to a culture that respects the dignity of its members. They are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

Acceptable behaviours

All members and volunteers are responsible for supporting the safety of children by:

- adhering to the band's *Child Safe Policy* and upholding the band's statement of commitment to child safety at all times
- taking all reasonable steps to protect children from abuse
- treating everyone in the band community with respect
- listening and responding to the views and concerns of young people, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
- ensuring as far as practicable that adults are not alone with a child
- reporting any allegations of child abuse to the band's leadership or child safe officer
- reporting any child safety concerns to the band's leadership
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe

Unacceptable behaviours

All members and volunteers must not:

- ignore or disregard any suspected or disclosed child abuse
- develop any 'special' relationships with children that could be seen as favouritism (e.g. the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (e.g. inappropriate sitting on laps)
- put children at risk of abuse (for example, by locking doors)
- initiate unnecessary physical contact which children or do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- have contact with a child outside of band without the child safe officer's knowledge and/or consent or the committee of management's approval.
- have any online contact with a child (including by social media, email, instant messaging etc.) or their family (unless necessary e.g. by providing families with newsletters or information assisting with their band activities)
- photograph or video a child without the consent of the parent or guardians. Parents will be asked to provide consent regarding use of photos or video on enrolment forms that are filled in at the beginning of the school year
- work with children whilst under the influence of alcohol or illegal drugs
- consume alcohol at band events in the presence of children unless the children are supervised by a parent or guardian.