



## Child Safe Policy

### 1. Policy Statement

1.1 The Metropolitan Orchestra (TMO) is committed to the education and nurturing of children and young people to achieve musical excellence through a structured program of orchestral training and performance.

1.2 Participants in our program and their families are the number one priority for TMO. Their safety and wellbeing is paramount to the organisation.

1.3 TMO respects that the parents/guardians of our participants have primary responsibility for their care. Our guidelines and procedures recognise this role, and call on parents/guardians to communicate proactively and honestly with TMO about issues and concerns.

1.4 TMO is a child-related employer registered with the Office of the Children's Guardian and follows the guidelines to be a Child Safe Organisation.

1.5 Under the Children and Young Persons (Care and Protection) 1998 Act, children are those up to 16 years of age, and young people are 16 and 17 years of age.

### 2. Purpose

2.1 The TMO Child Safe Policy, Codes of Conduct and related Guidelines and Procedures aim to:

- Create a safe place for all participants to get the most from our programs and activities.
- Provide clarity for all those working at TMO (on staff, on contract or as volunteers) about their responsibilities to promote and ensure an environment of mutual respect and child safety and wellbeing.
- Provide a clear and consistent pathway for dealing with issues that may arise which compromise the safety and wellbeing of our participants.
- Provide staff with clear instructions to follow where Risk of significant harm is identified or suspected through Recognising and Responding to Risk of Significant Harm training.

2.2 Ensure TMO is compliant with NSW Child Protection Legislation regarding employment of staff and contractors:

- Child Protection (Prohibited Employment) Act 1998.
- Commission for Children and Young People Act 1998.

These Acts introduce a process for helping employers to decide whether people are suited to work in child-related positions in NSW. The Acts prohibit persons found guilty of committing a serious sex offence from working in such positions and require that some people must be subject to background checking when applying for such paid positions. Checking includes current Working with Children Checks, National Criminal History Checks including Apprehended Violence Orders and relevant employment references.



### **3. Scope**

3.1 The Policy and its related documents are binding on all staff, sub-contractors and volunteers working with TMO who have direct interaction with our participants. They are also binding on participants in our programs who are over the age of 18.

3.2 The Policy and its related documents are also binding on former employees, sub-contractors, volunteers or participants of TMO.

3.3 All participants, parents and/or guardians are required to comply with TMO Participants Code of Conduct and Expectations, which sets out expected ways of behaving and working together to create a safe and supportive working environment.

3.4 The Policy and related documents forms the framework for all procedures and guidelines relating to TMO programs and activities including:

- Day camps (Junior Orchestra)
- Open Programs (holiday programs)
- Concerts
- Tutoring (small groups workshops).

### **4. Duty of Care**

4.1 TMO is responsible for the wellbeing of children and young people (under 18) whilst under its care. The wellbeing of children and young people in our programs is TMO's primary concern.

4.2 TMO has a duty to take reasonable care for the safety and welfare of all children and young people whilst they are engaged in our programs and activities.

4.3 This duty extends to TMO staff, volunteers and contractors engaged in child related employment.

4.4 "Reasonable care" includes taking such measures as are reasonable to protect against risk of harm that reasonably ought to be foreseen, from both known and foreseeable hazards.

4.5 TMO's duty includes taking preventative and protective actions related to risk of harassment or abuse.

4.6 TMO develops a risk assessment for each project the organisation undertakes. Strategies and plans are developed to mitigate risks as appropriate.

4.7 TMO supports staff, volunteers and contractors in child-related employment to maintain and support a safe environment, through required checks and screening, appropriate induction and regular training.

4.8 The key role of TMO staff, volunteers and contractors is to create a safe learning environment, encouraging children's independence and using professional judgement, to ensure children are not at unreasonable risk.



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4.9 Staff, volunteers and contractors are expected to exercise discretion and judgement in interacting with children and young people, and maintain professional boundaries (See the TMO Code of Conduct for Staff, Contractors and Volunteers).

## **5. Role of Parents and Participants**

5.1 TMO regularly communicates with participants and parents/guardians about our expectations and their role and responsibilities under the Child Safe Policy and related guidelines and procedures.

5.2 Participants and their parents/guardians are encouraged to raise issues with each other first and then with TMO staff, who have clear pathways for resolution of issues. We will work to resolve issues in a timely manner, in line with this policy's objectives.

## **6. Working with Children Checks**

TMO is responsible for ensuring all staff recruited to TMO are appropriately screened through reference checks, National Criminal History Checks (NCHC) and current Working With Children Checks (WWCC).

6.1 Under the Child Protection (Prohibited Employment) Act 1988 and Commission for Children and Young People Act 1988, TMO is required to obtain WWCC for all staff, contractors and volunteers directly engaged with children and young people.

6.2 The following TMO procedures will include reference to this required process:

- Recruitment and employment of staff
- Engagement of sub-contractors (including musical staff)
- Engagement of volunteers.

## **7. Recognising and Reporting Risk and Harm**

7.1 TMO is a mandatory report under the Children and Young Persons (Care and Protection) Act (<https://aifs.gov.au/cfca/publications/mandatory-reporting-childabuse-and-neglect>), which requires staff to be trained and aware of indicators that a child may be at risk of significant harm. TMO will provide Recognising and Responding to Risk of Significant Harm training to all staff in a child related role. (See Recognising and Reporting Risk of Significant Harm R.O.S.H Guidelines).

7.2 TMO staff must report to TMO's MD or other Management if they believe a child or young person is at risk of harm or concerns exist in regards to the safety, welfare and wellbeing of the child or young person. Effect of harm can be either physical and behavioural or both.

7.3 All staff, contractors and volunteers are required to bring these matters to TMO's MD or Management, who will report to relevant parties at the earliest possible time.

## **8. Keeping Records and Privacy**

8.1 TMO ensures that an appropriate audit trail is kept of all appointments and contracts of those in child-related employment (in paid and volunteer roles).

8.2 We will keep appropriate records of all incidents reported by staff, volunteers or participants.

**PO BOX 625 BALMAIN NSW 2041**

**Phone: (02) 8004 3472 Email: [info@metorchestra.com.au](mailto:info@metorchestra.com.au)**

**[www.metorchestra.com.au](http://www.metorchestra.com.au)**



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8.3 TMO will keep this information private (in accordance with the Privacy Act) except for purposes of reporting risk and harm.

## **Supporting Documents**

### **A. Codes of Conduct**

TMO develops and maintains codes of conduct that are relevant and accessible to all participants, parents, employees and volunteers:

- The Code of Conduct For Staff, Contractors and Volunteers aims to support those engaged in child-related employment to maintain professional boundaries whilst encouraging the musical and educational development of children and young people involved in TMO programs and activities.
- The Participants Code of Conduct and Expectations aims to set a standard of behaviour within the rehearsal room and performance venues, as well as during associated social or play times and performances.

### **B. Child Safe Guidelines**

TMO develops and maintains a set of guidelines for staff, sub-contractors and volunteers around the following:

- Accidents and emergencies
- Age-appropriate behaviour
- Aggressive behaviour
- Bullying and harassment
- Clothing and cleanliness
- Contacting participants
- Corresponding with parents/guardians
- Employee, contractor and volunteer screening
- First aid (training, kit and record-keeping)
- Gender issues
- Permission from parents/guardians
- Privacy
- Physical interaction
- Recording, filming and sharing images (including social media)
- Reporting misconduct, including sexual misconduct

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- Reporting risk and harm
- Resolving conflict
- Risk assessment
- Supervision, including staff to participant ratios.

TMO staff will review these guidelines annually.

### C. Risk Management Procedures

TMO maintains the following Risk Management Procedures to cover all its activities and programs in which participants are involved:

- Application and enrolment
- Orchestra rehearsals and workshops
- Open Programs (holiday programs)
- Performances

Risk Management Procedures will be reviewed annually by TMO staff to ensure they meet the aims of this Policy and support the wellbeing of all participants.

### D. Induction and Training

TMO will provide appropriate induction and training for all staff. For those in roles with ongoing engagement with children and young people (operations staff, conductors, tutors and volunteer supervisors, etc) the training will include training by the Children's Guardian, or appropriate body.

### E. Recognising and Responding to Risk of Significant Harm Guidelines and Training

TMO will provide appropriate training and refreshers for all staff.

#### SIGN OFF AND REVIEW

Version	Authorised By	Approved Date	Review Cycle	Review Due
1	MD	05/05/2021	2 Years	May 2023

#### HISTORY

Version	Authorised By	Approved Date	Review Cycle	Review Due