

LPA Guide

Child Safety in the Live Performance Industry

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Disclaimer: This guide provides general information only and is not intended to be legal advice. Organisations should confirm the legal requirements that apply to them and seek legal advice about their specific situation as required.

Child Safety in the Live Performance Industry

How to use this Guide

What is the purpose of this Guide?

The *Guide to Child Safety in the Live Performance Industry* (“**Guide**”) provides best practice guidance for:

- implementing child safe standards
- developing child safe policies and procedures
- creating a child safe organisational culture and environment

You can base your own child safe policies and procedures on the examples provided in this Guide including:

- Child Safe Policy and Commitment to Child Safety
- Code of Conduct (Employees and Supervision of Children)
- Policy on Exposure to Adult Themes
- Policy on Auditions and Casting
- Policy on Using Images of Children
- Complaints and Reporting Procedure

Who does this Guide apply to?

This guide applies to all live performance organisations that engage or interact with children as part of their organisation’s business activities. This includes:

- casting children in a production (child performers)
- attendance of and interacting with child audience members
- providing instruction to children as part of a class/program/workshop
- using photos of children for media and promotion
- using children for professional promotional material (photography, voice-overs, film commercials)
- internships or work experience
- any other form of direct interaction with children as part of the organisation’s business activities.

Is it mandatory for LPA Members to abide by this Guide?

As a condition of LPA membership all Members must abide by LPA Codes and Guidelines, and as such Members that engage or interact with children must develop and implement child safe policies and procedures appropriate to their organisation.

LPA Members differ in size, purpose, art form, business activities and level of engagement with children. This Guide is presented in general terms, with flexible provisions to ensure applicability across a diverse range of organisations. LPA Members should tailor their child safe policies and procedures to suit their individual circumstances.

Definitions

Child/Children

Includes children and young people up to the age of 18 (unless otherwise specified in this Guide or by law).

Child Performer/Child Employee

Includes children and young people up to the age of 18 (unless otherwise specified in this Guide or by law) that perform work for an organisation (both paid and unpaid).

Employee

- Any adult (over the age of 18) engaged by an organisation that may work with children at any time including:
- employees (permanent and casual)
 - leadership and management
 - administration
 - education instructors and youth workshop facilitators
 - production and venue personnel (actors, stage management, chaperones, technical crew, etc.)
- volunteers
- contractors and sub-contractors
- work experience students/interns/secondments
- any other individual in the organisation that may deal with children.

Employer/Organisation

Organisation in the live performance industry that employs or engages children as part of their business activities.

An organisation may employ or engage children in a number of ways (including but not limited to):

- casting them in a production (child employees)
- attendance of and interacting with child audience members
- providing instruction to children as part of a class/program/workshop
- using photos of children for media and promotion
- using children for professional promotional material (photography, voice-overs, film commercials)
- providing internships or work experience
- any other form of direct interaction with children performed as part of the organisation's business activities.

Industry

Refers to organisations in the live performance industry. This includes any live entertainment involving a performance art form including (but not limited to) dance, opera, music, circus, musical theatre and theatre. Organisations may be (but not limited to) performing arts companies, festivals, concert promoters or venues.

Parent/Carer

Includes any parent, legal guardian, carer or family member responsible for a child.

Supervisor

Qualified employee appointed to supervise or chaperone children (e.g. child performers, education program participants, work experience students). For the purposes of this Guide the definition of supervisor includes chaperones unless otherwise indicated.

1. Being a Child Safe Organisation

What are Child Safe Standards?

Organisations that directly interact with children as part of their business activities have a responsibility to minimise the risk of children experiencing harm and care for their well-being.

In response to instances of institutional child abuse, both Federal and State Governments have committed significant resources to identifying measures that reduce the risk of children experiencing harm in their involvement with organisations.

Child safe standards outline the minimum measures organisations should implement to be a child safe organisation. Child safe standards have been developed both at the national and state-based level, generally reflecting the same themes and measures with minor differences. These standards are reflected in this Guide.

Victoria, New South Wales and South Australia require organisations in our industry to implement child safe provisions.*

<p>VIC: All organisations that provide services for children in Victoria, including organisations that employ children, must abide by and implement Victoria's child safe standards.</p>	<p>NSW: All organisations that employ children in New South Wales must develop a Code of Conduct in a form approved by the appropriate authority (NSW Children's Guardian), setting out best practice guidelines for the care and protection of children employed.</p>	<p>SA: Organisations that provide entertainment services for children (e.g. theatre companies) must provide child safe environments. This includes having a child safe policy, meeting relevant history obligations and lodging a compliance statement with the relevant department.</p>
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Example: Victorian Child Safe Standards

To create and maintain a child safe organisation, an organisation to which the standards apply must have:

- **Standard 1:** Strategies to embed an organisational culture of child safety, including through effective leadership arrangements
- **Standard 2:** A Child Safe Policy or Statement of Commitment to Child Safety
- **Standard 3:** A Code of Conduct that establishes clear expectations for appropriate behaviour with children
- **Standard 4:** Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel
- **Standard 5:** Processes for responding to and reporting suspected child abuse
- **Standard 6:** Strategies to identify and reduce or remove risks of child abuse
- **Standard 7:** Strategies to promote the participation and empowerment of children

Application of each standard must reflect these key principles:

- Promoting the cultural safety of Aboriginal children
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- Promoting the safety of children with a disability

2. Developing a Child Safe Policy

What should an organisation address in a child safe policy?

A child safe policy demonstrates an organisation's commitment to provide for the safety and well-being of children engaged with the organisation. It also encourages organisations to be proactive in the early identification of potential risks of harm to children.

This Guide provides an example policy (*Child Safe Policy and Commitment to Child Safety*, p.7) addressing various issues that an organisation may need to consider and cover in a child safe policy.

The nature of issues covered in a child safe policy will depend upon the size, circumstances, and potential risks of each individual organisation. For example, larger organisations that regularly employ children for extended periods or run education programs may need detailed and comprehensive policies. In comparison, a smaller organisation that on occasion might present a show with children in the audience may need only a short policy.

It is important that the provided example template be amended and expanded upon to accurately reflect the individual circumstances of your organisation.

Tips for Developing and Implementing Child Safe Policies

- ✓ **Tailor policies** to suit your organisation's individual circumstances, taking into account mitigating factors (including but not limited to):
 - size of organisation (e.g. large national employer or small independent company)
 - level of engagement with children (e.g. regularly employ child performers, regularly run education programs, occasionally hire out venue for school performances, occasionally have child audience members that may be unsupervised)
 - type of engagement with children (e.g. performers, employees, work experience, education program participants, audience members)
 - exposure to risks of harm in the organisation (e.g. what risks are present at the venue? what adults may have access to children? how are child performers treated? are children being transported between locations?)
 - state legislative requirements (e.g. child employment, WH&S).

- ✓ **Seek input** from relevant staff, parents (including carers or legal guardians) and children to inform what should be addressed in your child safe policies and procedures.

- ✓ **Ensure policies and procedures are compliant with relevant regulatory requirements** in your state or territory, for example (where applicable):
 - Working with Children Check (WWC)
 - Child employment regulations
 - Mandatory reporting of abuse requirements
 - Work Health & Safety (WH&S)

- ✓ **Appoint a member/s of staff to be your Child Safety Officer (e.g. company manager or HR manager)**, responsible for being the first point of contact to provide advice and support to children, parents, carers, legal guardians and employees on issues regarding the care of children.
- ✓ **Leaders** in the organisation should lead and drive implementation of child safe policies and procedures.
- ✓ **Make your child safe policies and procedures publically available**; upload them to your website and provide copies to staff, volunteers, contractors, children, parents, carers, legal guardians and any other interested parties.
- ✓ **Induct employees** to your Child Safe Policy, Code of Conduct, and any other child safe policies and procedures relevant to their role.
- ✓ **Periodically review** child safe policies and procedures.

Example: Child Safe Policy and Commitment to Child Safety

[Organisation name]

Child Safe Policy

Scope

This policy applies to any adult person (over the age of 18) engaged by [organisation name] that may work or interact with children at any time including:

- employees (permanent and casual):
 - leadership and management roles
 - administration
 - education instructors and youth workshop facilitators
 - production and venue personnel (actors, stage management, chaperones, technical crew, ushers, etc.)
- volunteers
- contractors and sub-contractors
- work experience students/interns/secondments
- any other individual in the organisation that may deal with children

(Note: In this Policy, the term “employee” is used to cover all persons occupying any position listed above.)

A child includes children and young people up to the age of 18 (unless otherwise specified).

Commitment to Child Safety

All children working with or engaged by *[organisation name]* have a right to feel and be safe, respected, valued and protected from harm. Children should be made aware of and feel confident in their rights and responsibilities.

[Organisation name] is strongly committed to the safety and well-being of all children that interact with our organisation as employees, audience members, education program participants or otherwise by creating and maintaining a child safe environment. The welfare of children entrusted under our care is our first priority and we have zero tolerance for child abuse.

[Organisation name] will take all necessary steps to prevent and protect children from abuse and neglect including:

- *Physical abuse*: purposefully injuring or threatening to injure a child
- *Emotional abuse*: an attack on a child’s self-esteem e.g. through bullying, threatening, ridiculing, intimidating or isolating the child
- *Sexual abuse*: any sexual act or sexual threat imposed upon a child
- *Neglect*: harming a child by failing to provide basic physical or emotional necessities.

Supporting Children’s Participation and Satisfaction

[Organisation name] supports, enables and promotes the **active participation** of children by:

- encouraging expression of and respecting the views of children and parents (including carers or legal guardians)
- encouraging and empowering children and parents to raise any concerns or complaints
- listening to and acting upon any concerns raised by children and parents, carers or legal guardians
- seeking the input of children when making decisions about matters that concern them
- ensuring children understand their rights and the appropriate behaviour expected of both adults and children
- teaching children what they can do and who they can turn to if they feel unsafe
- ensuring employees dealing with children are skilful in facilitating their participation
- valuing diversity and not tolerating any discriminatory practices.

[Organisation name] aims to create an environment where children gain **satisfaction** from their interaction with our organisation as employees, participants in a class/program/workshop, or other activity by:

- supporting children to feel respected and in control of their behaviour/work
- ensuring children enjoy the overall experience of being engaged with a production or other organisational activity

- encouraging children to assist each other in fulfilling their employment obligations and developing a positive sense of pride in their work (e.g. discussing character development and stagecraft in groups and leading warmup activities)
- offering opportunities for children to derive personal satisfaction and a sense of achievement throughout their experience and the relationships they make
- encouraging children to develop self-discipline in balancing their commitment to their performance, their education and their social and family activities.

Valuing Diversity

[Organisation name] values diversity and we do not tolerate any discriminatory practices.

Our organisation is committed to protecting children engaged with our organisation from physical, sexual, emotional and psychological abuse, as well as neglect and contempt, ridicule, hatred, or negativity towards a child because of their race, culture, religion, gender (including transgender status), sexual orientation or disability.

In our activities with children we will:

- promote the cultural safety of Aboriginal children
- promote the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promote the safety of children with a disability
- promote the safety of LGBTI children and young people

Recruitment Practices

[Organisation name] will take all reasonable steps to ensure we engage the most suitable and appropriate people to work with children.

This involves maintaining a rigorous and consistent recruitment, screening and selection process.

It is *[Organisation name]*'s policy to:

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

Support for Employees

[Organisation name] seeks to support employees by:

- inducting new employees to our Child Safe Policy, Code of Conduct and other relevant policies and procedures

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

Code of Conduct

[Organisation name] has developed a Code of Conduct to provide guidance to our employees on expected behaviours when in direct contact with or working around children.

All employees must abide by the Code of Conduct.

We ask relevant employees to sign a written statement confirming they have read, understood and will comply with the Code of Conduct. We retain a copy of all signed statements.

Communication

[Organisation name] is committed to encouraging employees, children and parents (including carers or legal guardians) to raise any concerns or provide their views on the well-being of children involved with our organisation.

[Organisation name] keeps employees, parents (including carers or legal guardians) and children informed of our organisation's child safe policies and procedures by:

- ensuring that employees have read, understood, and are aware of their obligation under the Child Safe Policy, Code of Conduct, and any other relevant policies and procedures
- making relevant documents easily accessible by displaying child safe materials in areas of common traffic, uploading relevant documents to our website, distributing documents to all relevant individuals, and having copies available upon request
- providing children and parents (including carers and legal guardians) with relevant Plain English child safe materials.

Parents (including carers or legal guardians) of children employed by *[organisation name]* as performers are provided with at least one contact from *[organisation name]* that is available to speak with them or to facilitate speaking with their children at any time during periods of work.

We provide parents (including carers or legal guardians) and child employees with information on:

- the child's expected role, activities, responsibilities and actions during their period of employment
- the child's progress throughout the production and timely notice of schedules

- the rights of parents and children regarding supervision and workplace conditions, as determined by relevant state regulation
- our Child Safe Policy, Code of Conduct, and any other relevant policies and procedures.

Children are encouraged to communicate and ask questions regarding their employment.

Complaints and Reporting Procedure

We believe employees, parents (including carers or legal guardians), and children should feel enabled, empowered and supported to safely raise any concerns or complaints about any perceived risks to a child's safety or signs of abuse.

[Organisation name] has developed a procedure to respond to any complaint of abuse or conduct not in keeping with this Policy and Code of Conduct, including means to take disciplinary action or rectify issues when necessary.

Risk Management

[Organisation name] takes a preventative and proactive approach to minimising the risk of harm to children. As part of our organisation's WH&S risk management process we periodically conduct reviews to identify potential risks to the safety and well-being of children.

Implementation and Review Process

[Position of staff member appointed as Child Safety Officer/s] have been appointed as **Child Safety Officer/s**, responsible for being the first point of contact to provide advice and support to children, parents (including carers or legal guardians) and employees regarding the safety and well-being of children engaged with the organisation. This includes being the first point of contact for dealing with any complaint of abuse or conduct not in keeping with this Policy and Code of Conduct.

Our Child Safe Policy will be reviewed every *[number]* years and we will undertake to incorporate feedback from children, parents (including carers and legal guardians), employees and any other relevant personnel.

3. Developing Codes of Conduct and Policies on Standards of Behaviour

What behaviours should an organisation address in a Code of Conduct?

A Code of Conduct clearly and specifically states the standards of expected behaviour for all employees when in direct contact with or working around children. A Code of Conduct should cover behaviours that are appropriate and inappropriate.

This Guide provides two Code of Conduct example templates:

- Code of Conduct – Employees (p.12)
- Code of Conduct – Supervision of Children (p.15)

It also provides example templates for policies on standards of behaviour for:

- Exposure to Adult Themes (p.16)
- Auditions and Casting (p.17)
- Using Images of Children (p.18)

The example templates provided should be amended and expanded upon according to your organisation's individual circumstances, taking into account mitigating factors (including but not limited to):

- size of organisation
- level of engagement with children (e.g. rarely or regularly engage children)
- type of engagement with children (e.g. performers, employees, work experience, education program participants, audience members)
- exposure to risks of harm in the organisation (e.g. transport of children)
- state legislative requirements (e.g. child employment, WH&S).

Note: The example Code of Conduct includes some standards of behaviour related specifically to child employment.

Who should the Code of Conduct apply to?

This Guide provides example Codes of Conduct for adult employees.

Organisations can expect parents (including carers and legal guardians) or other relevant personnel to abide by a Code of Conduct. Depending on the circumstances of your organisation, it might also be useful to develop a language appropriate Code of Conduct for children that provides guidance on appropriate behaviour between children.

Example: Code of Conduct – Employees

[Organisation name]

Code of Conduct – Employees

[Organisation Name] provides an open, safe and friendly environment for all children. This Code of Conduct outlines appropriate standards of behaviour by adults toward children.

The Code of Conduct aims to protect children and reduce any possibility that abuse or harm could occur. It provides guidance to employees on how best to support children and prevent or better manage difficult situations.

Scope

All employees are required to comply with the Code of Conduct. This includes any adult person (over the age of 18) engaged by an organisation that may work directly with or around children at any time including:

- employees (permanent and casual): leadership and management roles, administration, education instructors and youth workshop facilitators, production and venue personnel (actors, stage management, chaperones, technical crew, ushers, etc.)
- volunteers
- contractors and sub-contractors
- work experience students/interns/secondments
- any other individual in the organisation that may deal with children

(Note: In this Code, the term “employee” is used to cover all persons occupying any position listed above.)

A child includes children and young people up to the age of 18 (unless otherwise specified).

[Organisation Name]’s employees are responsible for promoting the safety and well-being of children by complying with the following:

- ✓ adhere to our child safe policies and procedures
- ✓ take all reasonable steps to protect children from the risk of abuse and neglect including:
 - *Physical abuse*: purposefully injuring or threatening to injure a child
 - *Emotional abuse*: an attack on a child’s self-esteem e.g. through bullying, threatening, ridiculing, intimidating or isolating the child
 - *Sexual abuse*: any sexual act or sexual threat imposed upon a child
 - *Neglect*: harming a child by failing to provide basic physical or emotional necessities.
- ✓ treat all children with dignity, equality and respect
- ✓ listen to and value the ideas and opinions of children
- ✓ act as a positive role model in your conduct with children

- ✓ develop positive relationships with children and parents (including carers and legal guardians) based on mutual trust and open communication
- ✓ be professional in your actions through your use of language, presentation and manner
- ✓ respect the privacy of children and parents (including carers and legal guardians), and only disclose information to people who have a need to know
- ✓ be aware of risks with communication and behaviour between employees and children (including online and mobile)
- ✓ be aware of risks with communication and behaviour between children (including online and mobile)
- ✓ aim to ensure children understand they are valued members of the production, program, audience or other experience
- ✓ acknowledge the uniqueness and potential of all children, in recognition that enjoying their childhood without undue pressure is important
- ✓ if by chance any children are found unsupervised, direct and accompany children to their supervisor or relevant management immediately
- ✓ report any breaches of these standards of behaviour to the Child Safety Officer or relevant management promptly

[Organisation Name] employees MUST NOT:

- ✗ discriminate against any child because of age, gender (including transgender status), cultural background, religion, vulnerability, disability or sexuality
- ✗ engage in behaviour that is intended to shame, humiliate, oppress, belittle or degrade children
- ✗ engage in any activity with a child that is likely to physically or emotionally harm them
- ✗ take photos or video of children without the explicit permission of the child (if 15 years of age or older) and their parent, carer or legal guardian, and relevant management
- ✗ share personal information or photos of children on social media without the informed consent of the child (if 15 years of age or older) and parent, carer or legal guardian, and relevant management
- ✗ work with children while under the influence of alcohol or illicit drugs
- ✗ ignore or disregard any concerns, suspicions, or disclosures of child abuse
- ✗ show overly familiar physical affection towards children or any unnecessary physical contact with children
- ✗ marginalise or exclude specific children
- ✗ show favouritism towards specific children such as the offering of gifts, special thanks, special treatment or inappropriate attention
- ✗ subject children to any form of physical punishment, social isolation, immobilisation or any other conduct likely to humiliate or frighten children
- ✗ enter children's dressing rooms (unless they are a designated supervisor, or approved to do so by a supervisor or relevant management)
- ✗ allow children to enter an adult's dressing room or crew areas, unless accompanied by their supervisor and approval has been granted by those in the dressing room
- ✗ close doors in rooms where children are present, unless children need privacy to dress
- ✗ allow children to (un)dress with others around (dressing should take place in private)

- ✗ do things of a personal nature for children that they are able to do for themselves, such as assisting with going to the toilet or dressing
- ✗ gossip in the presence of children
- ✗ distress a child for the purpose of eliciting a dramatic reaction
- ✗ develop any 'special' relationships with children outside of the professional relationship or arrange contact with children outside of work obligations
- ✗ have unauthorised contact with children online or by phone

All complaints or reports of conduct not keeping with this Code will be pursued in accordance with the organisation's Complaints and Reporting Procedure, including means to take disciplinary action if necessary.

I have read this Code of Conduct and agree to abide by it at all times.

Name

Signature

Date

Name of Manager/Witness

Signature

Date

Example: Code of Conduct – Supervision of Children

[Organisation name]

Code of Conduct – Supervision of Children

[Organisation Name] provides an open, safe and friendly environment for all children. This Code of Conduct outlines expected standards of behaviour regarding the supervision of children by designated supervisors (including chaperones) and any other relevant staff in directly caring for children employed or engaged by the organisation (e.g. child performers, program participants, work experience students).

A child includes children and young people up to the age of 18 (unless otherwise specified).

Supervisors and/or chaperones are required to comply with this Code of Conduct in addition to the Code of Conduct applicable to all employees.

- Supervision must comply with all relevant state regulations on the provision of adequate employment and workplace conditions for children.
- Supervisors should be with children (under 15 years) at all times whilst they are in the care of our organisation. Children should not be left without direct supervision by a designated supervisor at any time.
- No employees, other than designated supervisors, should be alone with children (under 15 years) at any time, and at no time should non-designated employees be placed in a circumstance where they are required to chaperone or supervise children. If by chance any children are found unsupervised, employees should direct and accompany children to their supervisor or relevant management immediately.
- A supervisor's only responsibility should be the safety and well-being of the children they have been assigned to supervise (e.g. a member of stage management that is appropriately credited and temporarily supervising children should not be undertaking any other duties while supervising).
- Supervisors are expected to build a mutually respectful, professional relationship with all children in their care.
- The emotions and well-being of children should be checked periodically by supervisors to ensure their comfort and competence for the tasks assigned. If any of the children become distressed, withdrawn or overwhelmed for whatever reason the child should be given the opportunity to watch proceedings or compose themselves in private. Any concerns regarding the welfare of children are to be conveyed to management without delay.

- Supervisors should appropriately guide children towards positive and responsible behaviour. Children should be made clearly aware of the guidelines and rules established on appropriate behaviour in order for them to act accordingly, and supervisors should monitor adherence and appropriately reinforce limit setting.
- Supervisors should report inappropriate behaviour by any child to relevant management if the child does not respond to appropriate requests to improve behaviour.

Example: Policy on Exposure to Adult Themes

[Organisation name]

Policy on Exposure to Adult Themes

Child performers (under 15 years) will **not** be placed in a situation that exposes them to **inappropriate behaviour or language** for their age level. This includes:

- nudity (male and female genitals, buttocks and female breasts)
- obscenities, 'adult' talk (e.g. overtly sexual), smoking of any substance or drinking of alcohol (except as required in the performance following a conversation with the child about the use of adult language, substances or alcohol for dramatic purpose)
- harassment, humiliating or demeaning behaviour
- aggressive, threatening or uncontrolled behaviour
- inappropriate influence in regard to opinions, beliefs, behaviour or conduct.

It is important that the production child performers partake in, and the performance required of them, is not overtly dangerous, distressful, or inappropriate in any way, with regard to the child's age, culture, religion, maturity, emotional or psychological development and sensitivity.

If, due to the dramatic context of the production, children are required to participate in scenes containing potentially distressing, controversial or negatively influential material or themes, *[organisation name]* will discuss this with the child's parent/s, carer/s or legal guardian/s at the beginning of the rehearsal process and seek their consent.

All relevant details will be clearly explained to children and parents, carers or legal guardians, and all efforts will be made to minimise a child's exposure to potentially upsetting material. *[Organisation name]* may also discuss strategies for minimising a child's exposure to upsetting themes with the relevant regulatory authority for child employment.

Example: Policy on Auditions and Casting

[Organisation name]

Policy on Auditions and Casting

[Organisation name] aims to ensure the **casting and audition process** for child performers (under 15 years) is a safe and positive experience by:

- informing parents (including carers or legal guardians) in the audition notice of relevant production details and how any concerning issues will be managed including:
 - details regarding choreography, content, and involvement of potentially frightening or confusing elements (e.g. animals, pyrotechnics)
 - details of how the potential negative effects of identified issues will be mitigated
 - a statement that parents, carers or legal guardians are encouraged to discuss issues with children and express any concerns they may have with the relevant point of contact (e.g. supervisor, relevant management, Child Safety Officer)
- allowing children to meet supervisors and employees in a friendly and unthreatening environment
- having auditions conducted by appropriately experienced and screened employees
- allowing children and parents, carers or legal guardians adequate time to discuss and raise any concerns they may have
- avoiding the casting of children we believe might be being pushed past their limits by parents, carers, legal guardians or agents
- notifying children of success or otherwise as soon as possible, and providing constructive feedback where possible
- providing a positive audition experience for children that will build their confidence.

Example: Policy on Using Images of Children

[Organisation name]

Policy on Using Images of Children

This Policy outlines *[organisation name]* protocols for taking and publishing (in print or online) photos of children and young people up to 18 years of age.

We aim to protect the safety and privacy of **child performers** by:

- obtaining informed consent from a parent (including carers or legal guardians) and child (if 15 years of age or older) for the use of images of child performers
 - Consent will be sought prior to taking or publishing images. Signed consent forms will be sought from parents/carers/legal guardians and we will provide details on how and where the images will be published, and if images will contain identifying or personal information about the child (e.g. school uniform, name, hobbies). Images containing identifying or personal information will be avoided where possible.
- informing parents, carers or legal guardians if the organisation wants to film or take photos of children for analysis purposes or to improve performances
- ensuring that if photos or filming of child performers is going to take place at a venue different from the usual workplace venue, that a parent, carer or legal guardian has agreed to be present or their consent has been provided for the supervisor to be present instead
- making sure professional photographers are aware that any images taken will remain the property of *[organisation name]* and cannot be used or sold for other purposes. Any digital files must also be destroyed or handed over to *[organisation name]*
- making sure photographers are not left unsupervised with children or have individual access to children
- avoiding the use of images of children in minimal clothing (e.g. revealing costumes)
- providing details to parents, carers and legal guardians on who to contact if they have concerns or complaints around the use of inappropriate images or inappropriate behaviour in taking or publishing images.

We aim to protect the safety and privacy of child audience members or education program participants by:

- using the Terms and Conditions of purchase and placement of a notice in a prominent position at the venue to make ticket holders aware that professional photographers may be engaged for official and marketing use
- making parents, carers or legal guardians of education program participants aware that professional photographers may be engaged for official and marketing use
- only publishing images that do not contain identifying information about children (e.g. school uniform, name) unless consent from parents/carers/legal guardians has been obtained

- making sure professional photographers are aware that any images taken will remain the property of *[organisation name]* and cannot be used or sold for other purposes. Any digital files must also be destroyed or handed over to *[organisation name]*
- making sure photographers are not left unsupervised with children or have individual access to children
- providing details to parents, carers and legal guardians about who to contact if they have concerns or complaints regarding the use of inappropriate images or inappropriate behaviour in taking or publishing images.

4. Developing a Complaints and Reporting Procedure

What is the purpose of a Complaints and Reporting Procedure?

Organisations should encourage anyone to raise concerns or complaints about perceived risks to a child's well-being; and respond accordingly. This might range from rectifying a perceived risk (e.g. improving communication with parents); to reporting an observed incidence of child abuse to the police.

A Complaints and Reporting Procedure outlines the organisational procedure for dealing with complaints from employees, children and parents (including carers or legal guardians) about:

- inadequate working conditions for children (as per relevant state child employment legislation or LPA Code of Practice for Child Employment in Live Entertainment)
- conduct not in keeping with your organisation's child safe policies and procedures
- suspicion of child abuse or neglect.

This Guide provides an example template *Complaints and Reporting Procedure* (p.20).

The template provided should be amended and expanded upon as applicable to your organisation's individual circumstances, taking into account mitigating factors (including but not limited to):

- size of organisation
- level of engagement with children (e.g. rarely or regularly engage children)
- type of engagement with children (e.g. performers, employees, work experience, education program participants, audience members)
- exposure to risks of harm in the organisation (e.g. transport of children)
- state legislative requirements (e.g. child employment, WH&S).

Example: Complaints and Reporting Procedure

[Organisation name]

Complaints and Reporting Procedure

Scope

This Complaints Procedure applies to any person (child or adult) involved with the organisation including:

- any adult (over the age of 18) engaged by an organisation that may work with children at any time such as:
 - employees (permanent and casual): leadership and management roles, administration, education instructors and youth workshop facilitators, production and venue personnel (actors, stage management, chaperones, technical crew, ushers, etc.)
 - volunteers
 - contractors and sub-contractors

- work experience students/interns/secondments
- any other individual in the organisation that may deal with children (Note: In this Complaints Procedure, the term “employee” is used to cover all persons occupying any position listed above.)
- children (under the age of 18 years unless otherwise specified)
- parents (including carers or legal guardians).

1. Making a Complaint

Who can make a complaint?

Any person including employees, parents, carers, legal guardians and children should promptly raise their concerns or lodge a complaint about:

- inadequate working conditions for children (as per relevant state child employment legislation or LPA Code of Practice for Child Employment in Live Entertainment)
- conduct not in keeping with the organisation’s child safe policies and procedures
- suspicion of child abuse or neglect.

If employees suspect or witness an incident of unacceptable behaviour towards a child, they are obliged to report the incident to the appropriate contact as a matter of urgency. In addition to reporting the incident the employee should ensure that the child is safe from any immediate risks.

Any person that believes a child is at immediate risk of abuse should call 000.

[*Organisation name*] will provide children and parents with clear information on who to contact (and how) if they have any concerns or complaints.

What type of concerns should be raised?

Any of the following should be reported to the appropriate contact promptly:

- alleged, suspected or observed incidents of abuse or neglect (as a matter of urgency)
- conduct not in keeping with our child safe policies and procedures
- perceived risks in the organisation’s environment (e.g. inadequate working conditions).

Abuse and neglect includes:

- *Physical abuse*: purposefully injuring or threatening to injure a child
- *Emotional abuse*: an attack on a child’s self-esteem e.g. through bullying, threatening, ridiculing, intimidating or isolating the child
- *Sexual abuse*: any sexual act or sexual threat imposed upon a child
- *Neglect*: harming a child by failing to provide basic physical or emotional necessities.

Employees will be provided with information on how to recognise signs of potential abuse.

Who should complaints be made to?

Complaints or concerns should be lodged with *[name/position of member of staff appointed Child Safety Officer]* or other relevant management position using any method (verbally, email, call, etc.) that the employee, parent (including carers or legal guardians) or child feels comfortable with.

If an act of criminal activity has been alleged, such as physical or sexual abuse, the police will be informed urgently and the child will be kept safe from any immediate risks.

2. Investigating Complaints

How will complaints from children be handled by the first point of contact or Child Safety Officer?

[Organisation name] will inform children of who to talk to if they need to raise an issue.

[Organisation name] employees that receive a complaint from a child will:

- let the child talk about their concerns in their own time and words, as well as give the child the necessary attention, time and space to raise their issues
- be a supportive and reassuring listener
- tell the child that raising their concerns was the right thing to do and let them know in plain language the process by which their concerns will be addressed and acted upon
- record the nature of the complaint in the child's own words
- contact the child's parents (including carers or legal guardians) if appropriate.

How will all complaints be handled by the organisation?

[Organisation name] is committed to being responsive to concerns raised by employees, children and parents (including carers or legal guardians), and seek to resolve issues with the welfare of children as our first priority.

The appointed Child Safety Officer or relevant management will investigate the nature of the complaint raised in a timely fashion, allowing the person against whom the complaint has been made the opportunity to respond. If a complaint has been made in regards to the actions of another child, their parents (including carers or legal guardians) will be informed.

If appropriate and in the best interests of the child, the Child Safety Officer or relevant management will seek to resolve the complaint and rectify any issues raised to the satisfaction of all parties in the first instance.

Any complaints or concerns about perceived risks in the organisation's environment (e.g. inadequate working conditions, exposure to adult themes) will be addressed by *[organisation name]* and rectified promptly.

If *[organisation name]* becomes aware of, or has been alerted to, a risk of child abuse by someone involved with the organisation, we will act to reduce or remove the risk and protect the child as our first priority. We will promptly contact police when a child or adult alleges any criminal activity has occurred, such as physical or sexual abuse of a child.

The child and (if appropriate) parent/s, carer/s or legal guardian/s will be informed of the steps the organisation is taking to address the complaint.

[Organisation name] may also provide support for the child by referring and assisting children and/or parents, carers or legal guardian to access other appropriate services.

3. Outcome

What happens if unacceptable conduct towards a child has occurred?

In the event a complaint is proven to be accurate, the Child Safety Officer or relevant management will inform *[name relevant leadership position (e.g. producer, director, venue manager, etc.)]* of the allegation and the outcomes of the investigation. The Child Safety Officer or relevant management may also recommend an appropriate course of action.

4. Resolution

How will the complaint be resolved?

The *[name relevant leadership position (e.g. producer, director, venue manager, etc.)]* shall determine if:

- a person should be disciplined in accordance with the misconduct committed and within the organisation's means; or
- the matter should be referred to an appropriate authority for further investigation and action pursuant to the law.

For procedural fairness, any person involved in a complaint about unacceptable conduct towards a child is encouraged to seek support from their union or any other relevant person.

All complaints about unacceptable conduct shall be documented, including:

- record of action taken
- any internal investigation conducted
- any reports made to statutory or external bodies.

In accordance with security and privacy requirements, these records will remain confidential unless otherwise requested to be released by law.

With due consideration of confidentiality and fairness in regards to any person whom a complaint is made against, the risk of harm to children is our primary concern.

Sources

The information provided in this Guide is based on the resources developed by the NSW Children's Guardian, SA Department for Education and Child Development, Victorian Commission for Children and Young People, Australian Institute of Family Studies, Australian Sports Commission and policies provided by LPA Members.

Useful Links and Resources

LPA Policies

LPA Code of Practice for Child Employment in Live Entertainment
<http://members.liveperformance.com.au/codes--guidelines>

LPA Guide to Child Employment Regulations
http://liveperformance.com.au/child_employment_guide

Government

Royal Commission into Institutional Responses to Child Sexual Abuse
<http://www.childabuseroyalcommission.gov.au/>

NSW Office of the Children's Guardian
<http://www.kidsguardian.nsw.gov.au/working-with-children>

SA Department for Education and Child Development
<https://www.decd.sa.gov.au/child-protection/child-safe-environments>

Victoria Commission for Children and Young People
<http://www.ccyp.vic.gov.au/child-safe-standards/index.htm>

Templates and Further Information

Child Wise
<http://www.childwise.net/>

Child Wise: State Legislation and Mandatory Reporting
<http://www.childwise.net/page/40/state-legislation-reporting>

ChildSafe
<http://www.childsafe.org.au/>

Images of Children and Young People Online
<https://aifs.gov.au/cfca/publications/images-children-and-young-people-online>

NSW Ombudsman Child Protection List

https://www.ombo.nsw.gov.au/_data/assets/pdf_file/0006/3678/Child-Protection-Policy-Checklist-CP08.pdf

VIC CCYP Checklist: Child Safety Review and Action Plan

<http://ccyp.vic.gov.au/child-safe-standards/resources-support/index.htm>

VIC CCYP Child Safety Reporting Process

<http://ccyp.vic.gov.au/child-safe-standards/standards/standard05.htm>

VIC DHS Template Incident Report

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources>

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