



Bund der Bayern Inc.  
c/o The German Club  
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Adelaide SA 5000  
ABN: 21132402767

## Child Safe Policy

29 Sept 2014

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## **1. Preamble**

The Bund der Bayern Inc. is a non-profit community group with the aim to maintain Bavarian dancing in South Australia.

Members of the group participate in all group activities as volunteers, but may receive an honorarium to cover any expenses. As at September 2014 the group does not have any employees.

The group is dedicated to teaching young children the Bavarian dances, with the teaching usually being undertaken by adult dancers of the group.

We advise all parents of the children that they are generally required to supervise their children at all times, including during practices, performances and social events of the group. Whilst the adult group dancers agree to teach the children, it is clearly communicated to all parents that the adult dancers do not have a supervisory function and are not responsible to look after the children at all times.

Where parents choose to not attend a function to supervise their child themselves, they are expected to discuss with a person of their choice (e.g. another parent) to take on this responsibility. At no time does the group, its committee or its members become responsible to look after the children.

Parents have the right (and are encouraged) to attend all functions and practices of the group.

Despite this policy, the group recognizes that there could be a small number of instances throughout the year where the adult dancers may find themselves in the presence of the children for brief periods of time without any other person or parent for supervision. It is therefore necessary to have appropriate policies in place to protect the well-being of the children at all times.

It must be acknowledged that in order to teach dancing, some physical contact between the children and adult dancers is inevitable (e.g. to teach waltzing or correct posture).

Members and parents must also be aware that some of the Bavarian dances include elements of pretend-fighting, which generally requires some form of physical contact (e.g. "pretend-hitting").

## **2. Purpose**

This policy was written to demonstrate the strong commitment of Bund der Bayern Inc. to child safety and establishing and maintaining child safe and child friendly environments.

### **3. Context**

This policy reflects our commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from harm.

It complies with our obligations under the Children's Protection Act 1993, including:

- Section 8B – 8D – child safe environments and criminal history assessments for people working with children; and
- Section 11 – Mandatory reporting.

It also complies with the Child safe environments: Principles of good practice and Child safe environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children issued by the Chief Executive. (Section 8A, Children's Protection Act 1993).

### **4. Scope**

This policy, from the date of endorsement, applies to all people involved in the organisation who are engaged in teaching children, including:

- all group members
- volunteers
- any other individual involved in this organisation

### **5. Commitment to child safety**

All children who come to Bund der Bayern Inc. have a right to feel and be safe. We are committed to the safety and well-being of all children and young people accessing our services and the welfare of the children in our care will always be our first priority. We aim to create a child safe and child friendly environment where all children are valued and feel safe.

The group leader or other committee members of choice are the first point of contact to provide advice and support to children, parents, members and volunteers regarding the safety and well-being of children in our organisation

This policy was developed in collaboration with all our group members and the children who use our services and their parents.

### **6. Children's participation**

Bund der Bayern Inc. encourages and respects the views of children and young people who access our services. We listen to and act upon any concerns that children, young people or their families raise with us. We teach children what they can do if they feel unsafe.

We ensure that children, young people and their families know their rights and how to access the complaints procedures available to them.

We value diversity and do not tolerate any discriminatory practices.

## **7. Recruitment practices**

Bund der Bayern Inc. takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children.

We conduct criminal history assessment for people working with children, as set out in Section 8B of the Children's Protection Act 1993. Criminal history assessments are required for anyone within our organisation that:

- has regular contact with children and is not directly supervised at all times;
- works in close proximity to children on a regular basis and is not directly supervised at all times; or
- supervises or manages persons who:
  - have regular contact with children or
  - work in close proximity to children on a regular basis; or
- has access to sensitive records relating to children or young people.

Exemptions from this requirement may apply in some circumstances.

We ensure that criminal history information is dealt with in accordance with the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children, issued pursuant to Section 8A, Children's Protection Act 1993.

## **8. Code of Conduct**

All members are made aware of, and must abide by, our Code of Conduct, as published on our website [www.bundderbayern.org](http://www.bundderbayern.org) and amended from time to time. Our Code of Conduct was developed in collaboration with all our employees, volunteers, the children who use our services and their parents.

## **9. Support for volunteers**

Bund der Bayern Inc. seeks to attract and retain the best volunteers. We provide support and supervision so people feel valued, respected and fairly treated. We ensure that volunteers who work with children have ongoing supervision, support and training so that their capacity is developed and enhanced to promote the establishment and maintenance of a child safe environment. Strategies we have implemented include that all adult dancers who are engaged in teaching the children undergo

induction and are made aware of our child safe policy and code of conduct (available on our website).

## **10. Reporting and responding to suspected child abuse and neglect**

***Information about making appropriate reports of abuse or neglect is available from the Families SA website***

**<http://www.families.sa.gov.au/childsafe>**

Bund der Bayern Inc. will not tolerate incidents of child abuse.

All volunteers understand their obligation to notify the Child Abuse Report Line on **13 14 78** as soon as practicable if they have a reasonable suspicion that a child has been, or is being, abused or neglected.

We also ensure that employees have access to relevant information resources such as:

- Child safe environment: Guidelines for mandated notifiers and information for organisations (available to view or download from [www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe))
- Families SA reporting child abuse website: <http://www.dfc.sa.gov.au/pub/default.aspx?tabid=485>
- Free online SMART (Strategies for Managing Abuse Related Trauma) Learning package, developed by the Australian Childhood Foundation: [www.childhood.org.au](http://www.childhood.org.au)

### **Supporting children, young people and their families**

Child Protection is everyone's responsibility. Bund der Bayern Inc. recognises that even where a report is made, we may still have a role in supporting the child or young person. This support may include:

- Referring the child, young person or their family to other appropriate services
- Displaying information about services that can assist children and their families (such as the Kids Helpline and Youth Healthline) in areas accessed by children and their families.

### **Dealing with reports or concerns relating to the actions of a group member or volunteer of our organisation**

In addition to making a report to the Child Abuse Report Line, group members and volunteers must also report to the group committee if reasonable suspicion is formed that a child has been, or is being, abused or neglected by another member or volunteer.

In response to any report to management concerning a member, or volunteer of this organisation, management may determine to take disciplinary action.

Other protective actions may also be introduced to ensure the safety of children and young people within our organisation.

## **11. Strategies to minimise risk**

The Bund der Bayern Inc. has developed a risk management policy, which can viewed on its website [www.bundderbayern.org](http://www.bundderbayern.org) .

Policies and procedures may address (but are not limited to):

- Transportation
- Taking images of children
- Supervision of children
- Child safety officer
- Complaints procedures
- Physical contact
- Responsibilities
- Procedure for breaches of policy
- Training\cyber safe guidelines
- Protecting privacy and confidentiality
- Procedures for dealing with situations where a member is being investigated for, or is charged with, a serious criminal offence.

Evaluation of these strategies and the development of additional strategies to minimise and control risks to children and young people occur as part of our ongoing risk management process.

## **12. Harassment/bullying**

Bund der Bayern Inc. opposes all forms of harassment, discrimination and bullying. We take this issue seriously and encourage anyone who believes that they, or another person, has been harassed, discriminated against or bullied to raise this issue with the group committee.

## **13. Communication**

Bund der Bayern Inc. will ensure that everyone to whom this policy applies is aware of and has had an opportunity to read the policy.

## **14. Related policies and procedures**

Related policies and procedures are made available via our website [www.bundderbayern.org](http://www.bundderbayern.org)

Approved by Reinhard Struve	Date 29 Sept 2014	Review date 29 Sept 2015
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## 15.APPENDIX 1

### Conducting criminal history assessments

#### **Assessments required for prescribed positions**

All employees and volunteers of Bund der Bayern Inc. who occupy a prescribed position (as set out under Section 8B (8) of the *Children's Protection Act 1993*) are required to undergo a criminal history assessment once every three years.

Criminal history assessments are also required prior to the appointment of new employees or members to prescribed positions.

Exemptions from this requirement may apply in some circumstances (see below). However Bund der Bayern Inc. retains the discretion to decide on a case-by-case basis whether any relevant exemptions will be exercised.

This requirement applies to all employees who regularly work with or around children in an unsupervised capacity or have access to prescribed records relating to children.

#### **Procedure for conducting criminal history assessments**

A satisfactory criminal history assessment is a precondition of working in a prescribed position at Bund der Bayern Inc..

Prior to the appointment of a new employee/volunteer and then at three yearly intervals, this organisation will direct the employee/volunteer to obtain a National Police Certificate (NPC) from South Australia Police. The cost of obtaining a NPC will be negotiated between Bund der Bayern Inc. and the employee/volunteer.

South Australia Police require the explicit written consent of the applicant prior to the release of criminal history information.

Where a person has no disclosable criminal history, the assessment is successfully completed and no further action in respect to an assessment is required.

Where an individual does have a criminal history, Bund der Bayern Inc. assesses this information in accordance with Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Each assessment is conducted on its individual merits and with consideration to the inherent requirements of the position. Principles of procedural fairness and natural justice are applied throughout the decision-making process and the individual is provided an opportunity to confirm or dispute the information contained within the report and to provide contextual information for consideration during the assessment process.

The National Police Certificate will not be retained once a decision has been made regarding the person's suitability to work with children. The National Police Certificate will not be retained beyond three months in any circumstances.

In accordance with its legal requirements, Bund der Bayern Inc. will retain the following information regarding its decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

Bund der Bayern Inc. may obtain a further criminal history assessment for an employee/volunteer at any time that Bund der Bayern Inc. believes it necessary or desirable for the purpose of maintaining a child safe environment.

### **Other evidence (optional)**

Where appropriate, Bund der Bayern Inc. may utilise a number of forms of evidence (obtained within the last three years) to assess a person's suitability to work with children. This includes:

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
- A Letter of Clearance to work with children from the DCSI Screening Unit
- A valid and current interstate working with children check.

Acceptance of other forms of evidence is at the discretion of Bund der Bayern Inc. and is subject to the person completing a 100-point check to confirm the true identity of the applicant.

Bund der Bayern Inc. may also at its discretion seek a statutory declaration for any employee(s) or volunteer(s) who have been citizens or permanent residents of a country other than Australia since turning 18 years of age.

### **Exemptions**

The following organisations, persons and positions are exempt from the application of Section 8B of the Act:

- a) an organisation that provides equipment, food or venues for children's parties or events and does not provide any other services;
- b) a person who undertakes work on a voluntary basis to provide a service in his or her capacity as a parent or guardian of a child who is ordinarily provided with the service;
- c) a person who undertakes work on a voluntary basis to provide a service and who is under 18 years of age;
- d) a person who undertakes work in the course of, or for the purposes of, an event or activity that takes place over a period of not more than 10 consecutive days or not more than 1 day in any month;

- e) a person appointed as a police officer;
- f) a person who is a registered teacher (within the meaning of the *Teachers Registration and Standards Act 2004*);
- g) a person who undertakes, or a position that only involves, work that is not for the exclusive benefit of children and is not provided to any child on an individual basis;
- h) a position that only involves prescribed functions because children are employed or engaged to work as volunteers by the person occupying the position or by that person's employer;
- i) a position in which all work involving children is undertaken in the presence of the children's parents or guardians and in which there is ordinarily no physical contact with the children.

## 16.APPENDIX 2

### **Child Protection guidelines for employees and volunteers of Bund der Bayern Inc.**

Caring for children and young people brings additional responsibilities for employees and volunteers of this organisation.

All employees and volunteers of this organisation are responsible for promoting the safety and well-being of children and young people by:

- Ensuring the safety and welfare of the child or young person is paramount at all times.
- Treating all children and young people with dignity, equality and respect.
- Adhering to this organisation's child safe policy at all times.
- Listening and responding appropriately to the views and concerns of children and young people within the organisation.
- Taking all reasonable steps to ensure the safety and protection of children and young people within the organisation.
- Ensuring children and young people understand their rights and explaining to the child in age-appropriate language what they can expect when participating in a service, activity or program offered by the organisation.
- Responding quickly, fairly and transparently to any serious complaints made by a child, young person or their parent/guardian.
- Notifying the **Child Abuse Report Line on 13 14 78** as soon as practicable if they have a reasonable suspicion that a child or young person has been or is being abused or neglected.

Employees/volunteers will not:

- Take part in any unnecessary physical contact with a child or young person.
- Discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability or sexuality.
- Develop any 'special' relationships with children or young people outside of the professional relationship.