



Child Protection Policy



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Introduction

Rationale and Approach

Marlborough Civic Theatre Trust is committed to safe events and recreation for children¹. We are committed to child protection and its responsibilities under the Children's Act 2014.

Children can be harmed through their experiences of events and recreation. This harm can take many forms including physical and sexual abuse, emotional abuse, bullying, put-downs, inappropriate cultural practices, and other harmful practices. Regardless of their nature, harmful practices have no place in children and young people's activities.

Marlborough Civic Theatre Trust believes that:

1. Children have a right to participate in events and recreation that is safe and where they are protected from harm
2. Children should be able to participate in an event and recreational environment that is free from risk or danger
3. They should also feel respected, valued and encouraged to enjoy their participation and to reach their full potential
4. The Trust and its staff have a duty of care and must take steps to ensure that children can participate safely in the activities provided.

To ensure a safe experience for children at the theatre and events centre, Marlborough Civic Theatre Trust will enforce a four-pronged approach that involves:

1. Preventing known or potential abusers from having contact with children
2. Removing and/or minimising any risks of, and opportunities for, harm to children
3. Identifying and stopping inappropriate behaviour if it occurs
4. Providing support to the children and their families should a child be harmed

This document outlines this approach in more detail with the following:

1. Child Protection Policy
2. A flow chart for responding to suspected or disclosed abuse
3. An audit tool for organisations to use to check their current approach to keeping children safe
4. List of legislations that is relevant in some way to keeping children safe
5. A chart identifying types of harm that should be managed

¹ For the purposes of this policy, a 'child' is defined in the Children's Act 2014 as anyone who is under the age of 18 years and is not married or in a civil union.

Section 1: Child Protection Policy

Policy Statement

Marlborough Civic Theatre Trust (MCTT) is fully committed to safeguarding the welfare of all children in its care. We recognise the responsibility to promote safe practice and to protect children from harm, abuse and exploitation while participating in our activities.

Staff and volunteers will work together to embrace difference and diversity and respect the rights of children.

For the purposes of this policy and associated procedures, a child is recognised as someone under the age of 18 years.

Our child protection policy is based on the following principles:

1. The welfare of children is the primary concern
2. All children, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm and abuse
3. Child protection is everyone's responsibility
4. Children have the right to express views on all matters which affect them, should they wish to do so
5. Our organisation will work in partnership with children and parents/carers to promote the welfare, health and development of children.

Policy Objectives

The aim of this Policy is to promote good practice through:

1. Promoting the health and welfare of children by providing opportunities for them to take part in activities safely
2. Respecting and promoting the rights, wishes and feelings of children
3. Promoting and implementing appropriate procedures to safeguard the well-being of children and protect them from abuse
4. Recruiting, training, supporting and supervising staff, members and volunteers to adopt best practice to safeguard and protect children from abuse and to reduce risk to themselves
5. Requiring staff, members and volunteers to adopt and abide by this Child Protection Policy and these procedures
6. Responding to any allegations of misconduct or abuse of children in line with this Policy and these procedures, as well as implementing, where appropriate, the relevant disciplinary and appeals procedures
7. Regularly monitoring and evaluating the implementation of this Policy and these procedures
8. Reviewing this policy every three years

Procedures Covered by The Policy

1. Recruitment

As part of our duty of care, the Trust will ensure that suitable and appropriate employees and volunteers (including parents) are engaged to work with children. When recruiting people to engage with children we will ensure that there is robust recruitment process that includes:

- a. Creating a role description
- b. Following up on referees
- c. Interviewing
- d. Screening

i. Police vetting

Police vetting will provide information that includes:

1. Conviction history
2. Nature of any offence and when it occurred
3. Any sentence imposed
4. Any behaviour of a violent or sexual nature.

ii. Checking a criminal record

Employees will be required to authorise the Trust to receive copies of an individual's record i.e criminal from the Ministry of Justice

2. Child Protection Officer

The Operations Manager is the Child Protection Officer (CPO). He/she is the designated person for child protection and is responsible for ensuring the Trust meets its obligations under section 16 of the Children's Act 2014 and is authorised to manage child protection issues by:

- a. Ensuring that child protection procedures are understood and adhered to by all members
- b. Organising training and raising awareness within the organisation
- c. Establishing and maintaining the complaints procedure
- d. Regularly reporting to the MCTT Trustees
- e. Acting as the main contact for child protection matters
- f. Keeping up-to-date with developments in child protection legislation
- g. Liaising with local child protection agencies
- h. Maintaining confidential records of reported cases and any action taken
- i. Regularly monitoring and reviewing existing policies and procedures

3. Education and Training of Staff and Volunteers

Staff and volunteer induction is an ideal time to introduce child protection training and to cover the procedures set out within our Policy. Staff and volunteers will also receive training updates, especially when there are any changes to the law or internal processes for managing incidents of harm to children.

The training aims to provide staff and volunteers to:

- a. Recognise when children are at risk
- b. Respond to identified risks and children who are suspected of being abused in the most appropriate ways
- c. Understand their responsibilities in relation to keeping children safe both in terms of prevention and management of cases that may arise

4. Good Practice Protocols and Code of Behaviour

The following protocols are the organisation's guide to good practice in working with children and establishing boundaries in a range of situations. This is also the basis of the Trust's Code of Behaviour which is expected from all its staff and volunteers.

- a. Applying a child-centred approach where all children are treated equally and with dignity
 - i. Activities should be appropriate for the age and development of the children in your care
 - ii. Ensure feedback to children is about their performance and not of a personal nature
 - iii. Use positive and age-appropriate language when talking to children and in their presence
- b. Creating a safe and open working environment
 - i. Ensure that all physical contact with children is relevant and appropriate to the activity
 - ii. Seek permission to touch when doing the above
 - iii. Do not engage in any intimate, over-familiar or sexual relationships with people under the age of 18 years
 - iv. Ensure that any filming or photography of children is appropriate
 - v. Explain the purpose and obtain consent (from parents/caregivers) prior to filming or photographing children
 - vi. Ensure you have parental consent to administer first aid if required
 - vii. Do not use alcohol in the presence of children and do not offer alcohol to children under any circumstances

- viii. Do not engage in communication with a child, on a one-on-one basis, through social media or email, other than for relevant instructor/student feedback or administration
 - ix. Do not allow parents, coaches, other children, or spectators to engage in any type of bullying behaviour (this includes cyber bullying)
 - x. Do not engage in any bullying activity
- c. Avoiding situations where you are alone with a child
 - i. Avoid private or unobserved situations, including being alone with a child in the changing rooms
 - ii. Avoid entering changing rooms. If you must enter, knock and announce yourself and try to have at least one other adult with you

5. Allegations and Responding to Concerns

In accordance with employee's responsibility to act on any serious concerns, the following should be brought to the attention of the CPO:

- a. Any instance where this policy is breached, or good practice guidelines are not followed
- b. Any disclosure by a child that abuse, or harm is occurring
- c. Any suspicions or concerns about a child being subject to abuse

In the instance where poor practice has been identified

- d. Initial concerns should be discussed with the CPO or, in the absence of a CPO, the CEO.
- e. Consider the allegation and, where there is a legitimate concern provide, a written notice to the individual(s) involved
- f. If the poor practice is continued or there is repeated poor practice following a written notice, then disciplinary procedures will be enacted. This may include expulsion from the Trust.
- g. Consider actions across all circumstances, including regular workshop activities and instructing situations.

In the instance where abuse is suspected or reported, the welfare and interests of the child or young person are the first and paramount considerations. Staff will immediately enforce the following

- h. Ensure the child is safe from immediate harm
- i. Consult immediately with CPO, or the CEO
- j. As soon as possible, record accurately and appropriately the information received
- k. Records should be factual (not opinion or hearsay), concise and include:
 - i. The nature of the allegation
 - ii. Who noticed/disclosed the abuse and their relationship to the child
 - iii. Details of any witnesses
 - iv. Signs and symptoms noted (including behavioural change)
 - v. Any particular incidents with dates, times and places (if possible)
 - vi. Any action taken
- l. Consult with other others as necessary, do not work alone
- m. Avoid questioning the child beyond what has already been disclosed

- n. Do not question or counsel the alleged offender
- o. Do not investigate/presume expertise unless very experienced and qualified to do so
- p. Notify Child Youth and Family or the Police

6. Review

This Policy and these Procedures will be reviewed regularly

- a. In accordance with changes in legislation particularly the Children's Act 2014 and guidance on the protection of children, or following any changes within Waka Pacific Trust
- b. Following any issues or concerns raised about the protection of children within Waka Pacific Trust
- c. In all other circumstances, at least every three years

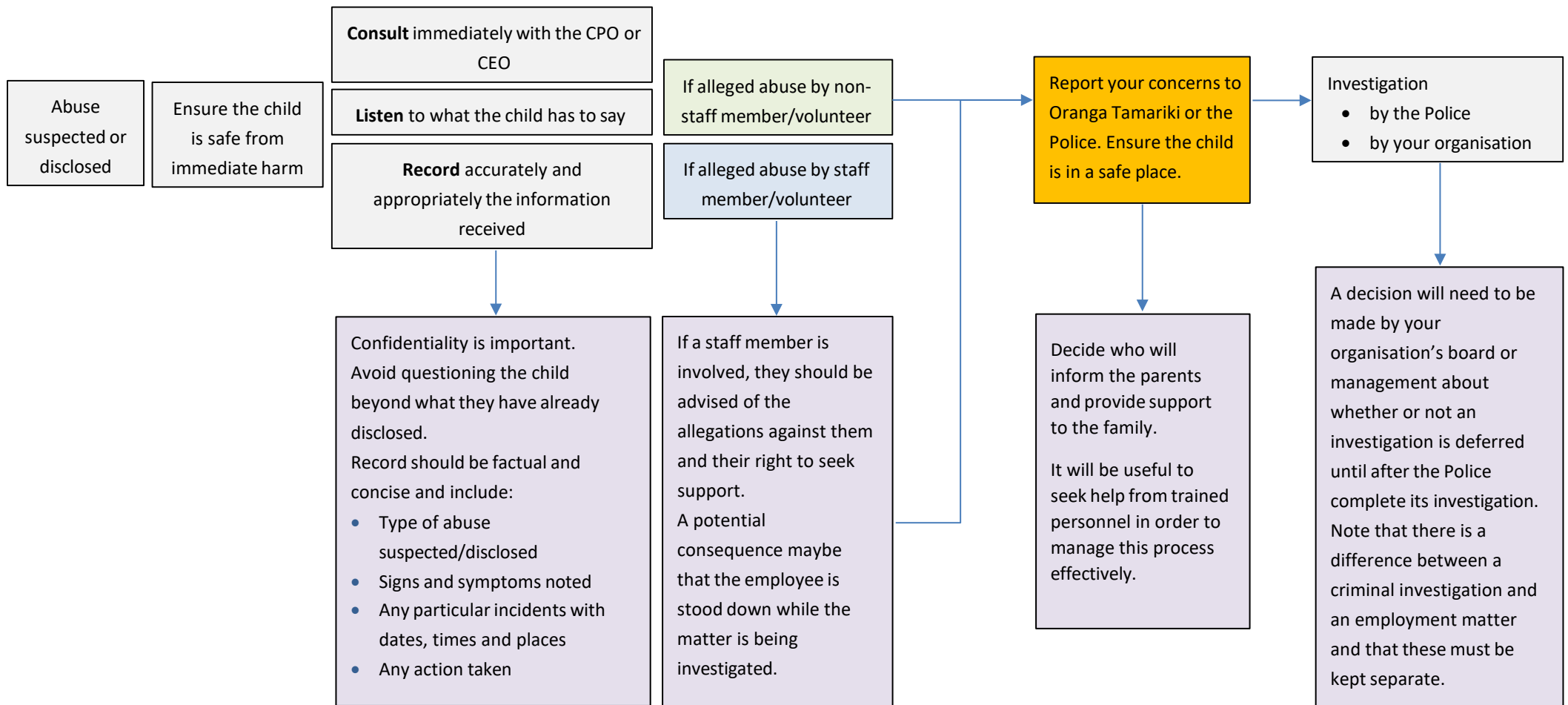
7. Confidentiality and Sharing of Information

Marlborough Civic Theatre Trust follows the Privacy Act 1993 and the Oranga Tamariki Act 1989 which allows information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Under sections 15 and 16 of the Oranga Tamariki Act 1989, any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected, or deprived may report the matter to Oranga Tamariki and/or the Police. No civil, criminal or disciplinary proceedings may be brought against the person who supplied the information provided the report is made in good faith.

The Trust will also consult with Oranga Tamariki and/or the Police before information about an allegation that may identify an individual is shared with anyone, other than the supervisor/manager(s) concerned and designated person for child protection.

Section 2: Flow chart

Responding to suspected or disclosed abuse



Section 3: Audit tool

Guideline to check current children safety system

Part 1: Child Protection Policy

Topic	Current Situation	Changes/Further Action We Will Take
Our organisation has a written child protection policy or clear guidelines in place to make sure that children are kept safe in our sport	Yes	
Our policy/arrangements have been signed off by our board/executive committee	Yes	
The policy or arrangements apply to everyone	Yes	
There are clear procedures in place that provide step-by-step guidance on what action to take when there are concerns about the welfare or safety of a child.	Yes	
All children in our organisation have equal rights and access to safe activities and experiences	Yes	
We regularly review our policies and procedures relating to keeping children safe – ideally at least every three years	Yes	

Part 2: Policy into Practice

Preventing Known or Potentially Unsafe People from Having Contact with Children in Our Organisation		
This is about your organisation ensuring that the 'right' people are working with children.		
Topic	Current situation	Changes/further action we will take
We have an agreed process for recruiting and selecting staff and/or volunteers working with children	Yes	
We conduct Police vetting and other screening of staff and volunteers	Yes	
We have clear guidelines about managing the information we receive through the vetting/screening process	Yes	
We have clear guidelines about what is acceptable and unacceptable behaviour in relation to contact with children	Yes	

Removing/Minimising Risk

This involves identifying the potential risks to children within the organisation and creating protocols and processes to remove or minimise any identified risks.

Topic	Current situation	Changes/further action we will take
We are very clear about our responsibilities to children	Yes	
We conduct regular risk management assessments	Yes	
We provide child protection training for staff, parents, volunteers	Yes	
We issue codes of behaviour that outline our expectations in terms of behaviour	Yes	
Children in our care are adequately supervised and protected at all times	Yes	
Our guidelines for raising concerns about potential harm to children are well-publicised and communicated widely within our organisation	Yes	
Children (and their parents) are provided with information on where to go for help and advice when there are concerns about a child's safety	Yes	

Identifying and Stopping Inappropriate Behaviour

This relates to managing any complaints, accusations and/or disclosures about unsafe practices and harm to children.

Topic	Current situation	Changes/further action we will take
We have a named child protection person(s) with clearly defined roles and responsibilities	Yes	
We have a clear set of procedures in place to manage accusations or disclosures of harmful activity and unsafe practices	Yes	
Staff and volunteers who may be suspected/accused of harmful behaviour have access to specialist advice, support and information	No – we advise them to bring a support person with them when we are doing an investigative interview	
All incidents, allegations and complaints are recorded and monitored	Yes	

Supporting the Child and the Family

This relates to how an organisation can support a child and his/her family should the child be harmed in some way.

Topic	Current situation	Changes/further action we will take
We have a list of contacts for relevant local agencies who can help	Yes	
We can access other types of support such as counselling	Yes	

Section 4: List of relevant legislations

There are numerous pieces of legislation relating to the protection of children under 18 years that may impact on events and recreation providers.

1. Health and Safety at Work Act 2015
 - a. This Act deals with the health and safety obligations of an employer to its employees. If a child is an employee of the organisation, the general health and safety obligations of employers under the Act will apply.
 - b. There is also an obligation to ensure the safety of volunteers (some of whom may be children) while they undertake the work activity.
 - c. Employers will be held vicariously liable to a third party for acts of its employees.
2. Children's Act 2014
 - a. This Act deals with the responsibility for improving the wellbeing of vulnerable children by:
 - protecting them from abuse and neglect:
 - improving their physical and mental health and their cultural and emotional well-being:
 - improving their education and training and their participation in recreation and cultural activities:
 - strengthening their connection to their families, whānau, hapū, and iwi, or other culturally recognised family group:
 - increasing their participation in decision making about them, and their contribution to society:
 - improving their social and economic well-being.
3. Oranga Tamariki Act 1989; Children's and Young People's Well-being Act 1989
 - a. This Act allows us to promote the well-being of children, young persons, and their families and family groups by:
 - i. Reporting the abuse
 - ii. Protection of the person reporting the abuse

Section 5: Types of Harm

