

Gondwana Choirs Child Safe Policies

Purpose

1. Gondwana Choirs is committed to creating and maintaining a safe environment for children. The purpose of this document is to outline Gondwana Choirs' child safe strategies, policies and procedures for compliance as a child safe organisation. It underpins the Gondwana Choirs Child Safe Statement.
2. Gondwana Choirs has developed this document in accordance with Australia's Commonwealth Child Safe Framework, the National Principles for Child Safe Organisations and the relevant State-based child safe standards for which Gondwana adheres to in various jurisdictions in which it operates throughout Australia. Gondwana Choirs includes a list of the applicable child safe legislation for each State and Territory throughout Australia at Section 9 in this document.
3. Gondwana Choirs, through its international activities, also acknowledges various international covenants, declarations and treaties with respect to child safety, including the Universal Declaration of Human Rights, Geneva Declaration of the Rights of the Child and the United Nations Convention on the Rights of the Child.

Who this policy applies to

4. This policy applies to all Gondwana Choirs' personnel, including:
 - a. full-time, part-time and casual employees;
 - b. contractors;
 - c. visitors (including volunteer supervisors) to a workplace under Gondwana Choirs' management and control; and
 - d. Work experience students and interns.

Mandatory reporting - New South Wales

5. A number of Acts relate to child protection in NSW. These include:
 - a. the *Children's Guardian Act 2019* which provides the requirements for mandatory reporting;
 - b. the *Child Protection (Working with Children) Act 2012* relating to working with children check clearances for all persons engaged in child-related work; and
 - c. the *Children and Young Persons (Care and Protection) Act 1998* which sets out the responsibilities of Community Services with regard to child protection.
6. Under the *Children and Young Persons (Care and Protection Act) 1998*, staff in child related employment must report to the Secretary of the Department of Communities and Justice if they believe a child or young person is at risk of harm or concerns exist in regard to the safety, welfare and wellbeing of the child or young person. Effects of harm can be both physical and/or behavioural.
7. Gondwana Choirs is defined as a 'designated agency' under the *Children's Guardian Act 2019* to the extent that it provides 'substitute residential care' in the form of away-from-home camps to students who are under the age of 18 years; that is, to a student who is a 'child' for the purposes of Schedule 3A of the *Children's Guardian Act 2019*. Thus, the mandatory reporting scheme in NSW applies to Gondwana and it complies with the child protection responsibilities that are prescribed under the *Children's Guardian Act 2019*.

8. In accordance with Division 3 of the *Children's Guardian Act 2019*, if a person becomes aware of any 'reportable allegation' or 'reportable conviction' against an employee (including volunteer, contractor or other associate), they must notify the Executive Director or Artistic Director or the Office of the Children's Guardian immediately.
9. Individuals have a personal obligation under sections 316 and 316A of the *Crimes Act 1900* (NSW) to report any suspected criminal activity or child abuse to the Police as soon as it is practicable, unless that person has a 'reasonable excuse' in not reporting the information to the Police. Section 316A(2) of the *Crimes Act 1900* (NSW) sets out what constitutes a 'reasonable excuse' and should be considered carefully.

Mandatory reporting - Tasmania

10. Under the *Children, Young Persons and Their Families Act 1997*, certain professionals, referred to as 'mandatory reporters', are required to make a report to Strong Families and Safe Kids if they believe that an unborn baby, child or young person has suffered abuse or is at risk of:
 - a. being abused (physically or sexually);
 - b. being neglected;
 - c. being threatened with death, abuse or neglect; and/or
 - d. that child's parents or guardians being unable or unwilling to maintain the child, adequately supervise the child, is deceased, has abandoned the child and/or will not protect them from abuse or neglect and that person who is under 16 is not attending school without a good reason.
11. Gondwana Choirs personnel meet the definition of a person who provides 'child care...for a fee or reward', noting that Gondwana Choirs provides 'care or accommodation to a child' through the provision of away-from-home camps to students who are under the age of 18 years and it is rewarded for providing such services through its revenue intake. Thus, the mandatory reporting scheme in Tasmania applies to Gondwana.
12. Under Section 105A of the *Criminal Code 1924* (Tas), a person commits an offence if they have information that reasonably leads them to believe a child has been abused and they fail, without reasonable excuse, to report that information to police as soon as practicable. The law defines child abuse broadly under section 105A(1) and includes important exceptions, such as where the information was learned when the reporter was a child or where the now-adult victim does not wish the matter reported. Reasonable excuses may include risks to someone's safety, existing privilege, or a belief the matter has already been reported.

Mandatory reporting - Northern Territory

13. Under the *Care and Protection of Children Act 2007* (NT), any adult must report, if they hold a reasonable belief, that a child is a victim of abuse. This reporting duty arises if someone suspects that a child is the victim of a sexual offence, has suffered harm or exploitation, or is likely to be victimised in this fashion.
14. A report of suspected child abuse should include any knowledge and factual circumstances that gave rise to the suspicion of abuse. The reporter needs to provide, to the best of their ability, details about themselves, the child, the child's parents and extended family. Additionally, the report should provide comprehensive information about what the reporter suspects happened to the child, when and where the incident occurred, who was present and who could potentially be responsible for the harm.
15. An adult may form a reasonable belief as to abuse which is based on, but limited to, the following factors:
 - a. a child's disclosure;
 - b. allegations obtained from a third party (such as from another child); and/or
 - c. through observation of physical indicators, such as fear and injury, age-inappropriate behaviour (such as sexualised behaviour), delays in mental and emotional development and/or chronic truancy.

16. Mandatory reporting of child abuse or neglect can be made by calling the child protection reporting line at 1800 700 250 or through the online CARE Services portal.
17. Under Section 26 of the *Care and Protection of Children Act 2007* (NT), any person who forms a reasonable belief that a child has suffered or is likely to suffer harm, exploitation or be the victim of a sexual offence, has a legal obligation to report that belief as soon as possible to either Police or the CEO of Territory Families. This duty applies broadly and covers situations where a person becomes aware of information, whether through direct observation, disclosure, or other credible circumstances, that gives rise to a reasonable belief of harm or risk. A report must include not only the belief itself, but also any relevant knowledge or factual circumstances that led to that belief. Failing to report in these circumstances is an offence, unless the person can establish a reasonable excuse for not doing so. Importantly, the reporting obligation applies despite any other law, meaning confidentiality obligations or other professional constraints cannot override the duty.

Mandatory reporting - Australian Capital Territory

18. Under the *Children and Young People Act 2008* (ACT), a mandatory reporter must report, if they believe on reasonable ground, that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury. The reporter's reasons for the belief arise from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid).
19. Mandatory reporters in ACT include, amongst other persons, those who, in the course of the person's employment, have contact with or provides services to children, young people and their families and is prescribed by regulation. Gondwana Choirs employs persons who through the provision of choir and away-from-home camps, provide services to students who are under the age of 18 years.
20. Section 356 of the *Children and Young People Act 2008* (ACT), makes it an offence for a *mandated reporter* to fail to report concerns of significant harm. A mandated reporter must make a report as soon as practicable and it must include the child's name or identifying description and the basis for the belief. A failure to report is an offence punishable by fines or imprisonment. Mandated reporters acting honestly are protected from civil liability.
21. If the reporter is required to make a report, they should complete a report to the ACT Child, Youth and Families. The reporter does not have to additionally report to the police.

Mandatory reporting - Guidelines for Gondwana

22. In addition to the ACT, NSW, NT, and TAS mandatory reporting obligations, choristers, when acting in good faith, can approach any person in the organisation to express concerns about their treatment and they will be taken seriously. If a chorister confides in any employee, volunteer, contractor or other associate of Gondwana Choirs, the Executive Director or Artistic Director must be advised immediately.
23. Gondwana staff and volunteers must not conduct their own mandatory reporting investigations.
24. Gondwana staff and volunteers are strongly encouraged to make a report to the Executive Director or Artistic Director before making a report on behalf of Gondwana Choirs to the relevant State body responsible for overseeing that State's mandatory reporting scheme.
25. Any decision to report suspected abuse or neglect will be made by both the Executive Director and Artistic Director and in some cases, the Board.

Reportable Conduct Scheme - New South Wales

Head of Entity

26. NSW has a Reportable Conduct Scheme that requires the head of a participating entity to:
- notify the relevant authority of any reportable conduct;
 - conduct an investigation into the allegation of reportable conduct; and
 - take action to prevent further reportable conduct.

Appointment of the Head of Entity

27. The Directors of Gondwana Choirs will appoint one person to act as Head of Entity. That person must:
- be over 18 years of age;
 - be a sufficiently senior member of the organisation to comply with any legislative requirements; and
 - fulfil any legislative requirements for appointment. The Executive Director would normally be appointed as Head of Entity. They may delegate some or all duties to another suitable employee within the organisation but are still ultimately accountable for the obligations being met.

Responsibilities

28. The Head of Entity will have ultimate responsibility for administering the Reportable Conduct Scheme.
29. The Head of Entity must have a thorough understanding of and be regularly trained in all of Gondwana Choirs' policies, as well as any legal requirements regarding mandatory reporting, reportable conduct, and Working with Children Checks (**WWCC**).
30. The Head of Entity must maintain copies of all relevant policies and ensure that they are aware of any updates made by the relevant authorities.
31. The Head of Entity will ensure that all staff members are aware of and understand all Gondwana Choirs' policies by:
- providing all staff with copies of relevant Gondwana policies, including any amendments or updates;
 - organising and/or administering training to all staff; and
 - providing support and assistance to all staff in relation to their roles.
32. The Head of Entity will be responsible for verifying the WWCC for all Responsible Persons.
33. The Head of Entity will be responsible for all record keeping relating to WWCC, reportable conduct and mandatory reporting, in accordance with the Privacy and Record Keeping Policy.

Reporting Requirements

34. If the Head of Entity receives a report relating to the safety and wellbeing of children, they must take proper and timely action in response to the report in accordance with the Reporting Policy and the Reporting Guidelines in each state.
35. After receiving a report relating to the safety and wellbeing of children, the Head of Entity must consider any significant issues raised by the report, and undertake a review of any relevant policies to ensure they are fit for purpose.

36. The Head of Entity must create a confidential and permanent record of the report, in accordance with the Privacy and Record Keeping Policy.
37. The Head of Entity must take any steps necessary to ensure the safety and wellbeing of any children who may be at risk.

Investigations into Reports Received

38. The Head of Entity will be responsible for conducting or arranging an investigation into reportable conduct, in accordance with the relevant legislation.

What should be reported?

39. All forms of actual or suspected child abuse (**Child Abuse**) should be reported, this may include the following behaviours:
 - a. a sexual offence committed against or in the presence of a child;
 - b. sexual misconduct towards a child, including through electronic communications;
 - c. grooming behaviour, which is conduct done with the intention of making it easier to commit a sexual offence or engage in sexual misconduct with a child. This behaviour may include exposing the child to indecent material, providing them with intoxicants, of giving the child material benefits;
 - d. behaviour that causes significant emotional or psychological harm to a child;
 - e. ill-treatment, neglect or physical violence committed against, with or in the presence of a child (even if perpetrated by another child);
 - f. failure to reduce or remove the risk of a child becoming a victim of child abuse; and/or
 - g. failure to report a crime to police.

Who should be reporting?

40. Gondwana employees and volunteers are required to report actual or suspected child abuse to the Head of Entity, in addition to that employees have a legal obligation to report to the police or the relevant state authorities.
41. This reporting obligation can arise in situations where:
 - a. the employee/volunteer believes or has received credible information that a member of the Gondwana Choirs community has engaged in child abuse or engaged in improper conduct involving children;
 - b. the employee/volunteer believes or has received credible information that there is a current and ongoing threat to the safety and welfare of children in the Gondwana community;
 - c. a report to police or a state authority has been made and no investigation is conducted, however the employee/volunteer has ongoing concerns about the matters reported; and/or
 - d. a report has previously been made to the Head of Entity, and the employee/ volunteer considers that their response to the report is unsatisfactory.
42. In most states, including New South Wales and Queensland, all adults have personal obligations to report crimes, including suspected child abuse or possession of child abuse images, to police.

Who should concerns be reported to?

43. Everyone must report crimes relating to child abuse directly to their local police force. In most states, including New South Wales and Queensland, it is an offence for adults to fail to report child abuse crimes.
44. Everyone in the Gondwana community is encouraged to report concerns or disclosures relating to child abuse to the Head of Entity.

45. If an employee/ volunteer has concerns which mean that they are not comfortable reporting concerns or disclosures relating to child abuse to the Head of Entity, they are required to make a report directly to child protective services in their state.

What happens next?

46. Employees/ volunteers should not investigate the truth or accuracy of information that they are aware of before making a report. Critically, employees/ volunteers should not:
- a. confront or interview the complainant(s);
 - b. confront or interview the alleged perpetrator; and/or
 - c. take any steps that directly or indirectly make the alleged perpetrator aware that inquiries are being made into their behaviour
47. Once a report is made to the Head of Entity:
- a. the employee/ volunteer making the report should not undertake any further action in relation to the report;
 - b. depending on the nature of the report, it may be referred to state child protective services; and/or
 - c. depending on the nature of the report, and the jurisdiction in which it is made, Gondwana may arrange for the report to be investigated.

Support for Victims

48. If a child has experienced child abuse, or their safety or welfare is or has been at risk, it is important that they receive support, assistance and reassurance. Adults may also need support, assistance or reassurance if their child has experienced child abuse, or in relation to experiences from their own childhood.
49. Every situation is unique and it is essential that you seek advice and support from the Head of Entity if you are unsure about what support should be offered.
50. Some general principles for determining what support might be necessary and appropriate are:
- a. If a child has reported or confirmed that they have experienced Child Abuse or that their safety or welfare is or has been at risk, it is important to reassure the child that they have done the right thing in reporting it and that they are believed.
 - b. If there is an ongoing risk to the child, it may be important to take immediate steps to ensure the safety and welfare of the child, including removing them from the risk involved. If that is the case, it is very likely that a report should be made to police or a state authority without delay. You should immediately make that report and seek advice from the police or state authority about what to do next.
 - c. It may be important that a child and the child's family members receive counselling, medical assistance and other professional support, both immediately and on an ongoing basis. If you believe that there is a need for support of this kind, you should notify the Head of Entity so that appropriate arrangements can be made.

Privacy and Confidentiality

51. Gondwana Choirs will collect, use, disclose and hold personal information in accordance with all applicable legislation and the Gondwana Choirs Privacy Policy.

Protection of Reporters

52. Gondwana Choirs encourages its personnel to report genuinely held concerns about the safety and welfare of children. Any person that makes a report in good faith in accordance with their reporting obligations will be fully supported by Gondwana Choirs.

53. Across Victoria, New South Wales, Queensland, Western Australia and Tasmania, a person reporting, complaining, or notifying in good faith is also protected from civil, criminal, and administrative liabilities, including disciplinary actions.

Reportable Conduct Checklist

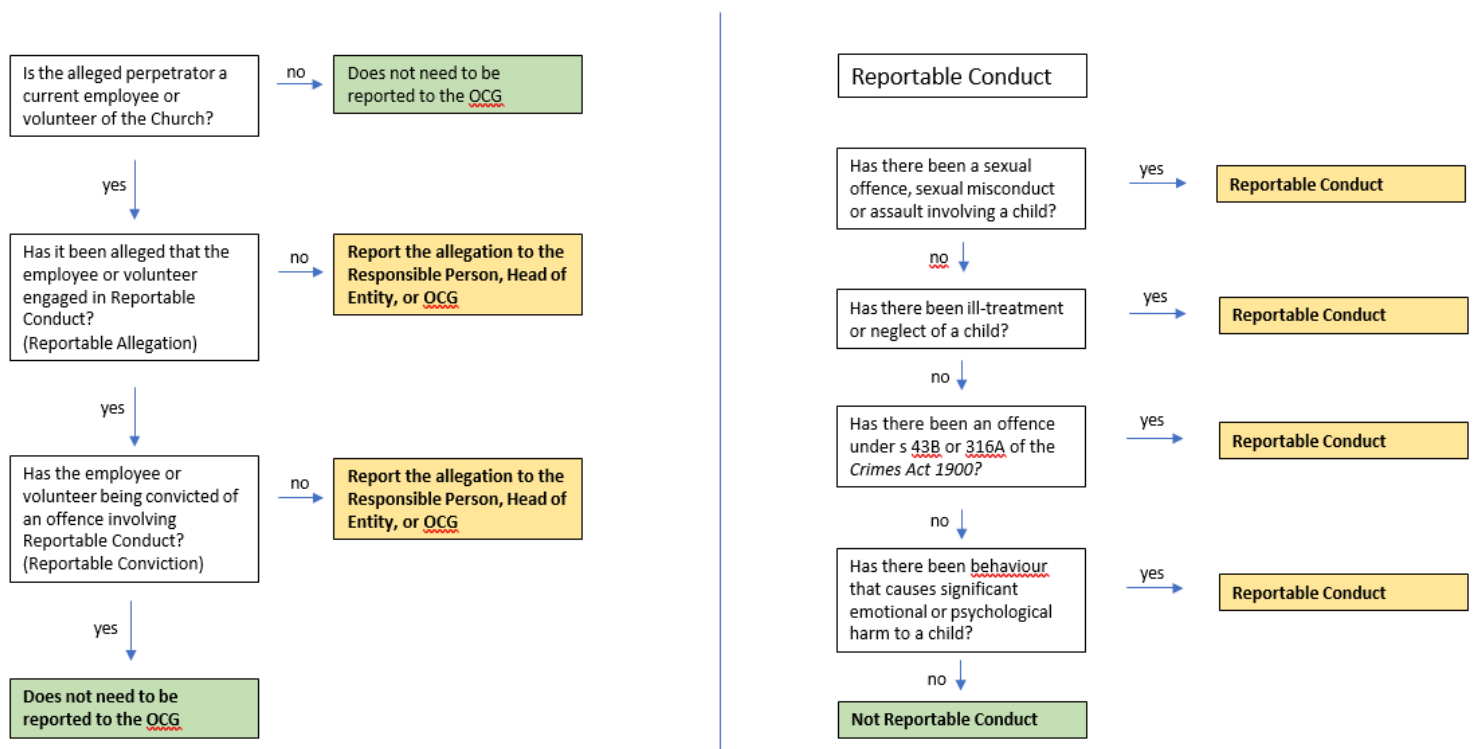
54. The following checklist has been developed to help Gondwana Choirs personnel to identify and classify reportable conduct concerns. Whilst the NSW legislative guidelines have been referred throughout, this checklist can be used for potential reportable conduct concerns across Victoria, Queensland, Western Australia and Tasmania given those reportable conduct schemes are applicable to Gondwana Choirs.
55. An allegation of any of the listed behaviours by Gondwana Choirs personnel towards a child (any person under the age of 18 years) is a reportable allegation and must be reported to the Police immediately. Gondwana Choirs strongly encourage that a report be made to the Head of Entity prior to reporting to Police.

SEXUAL OFFENCES	
Has there been an allegation that any of the following have been committed against, with or in the presence of a child?	
• Indecent assault	☐
• Sexual assault	☐
• Aggravated sexual assault	☐
• Sexual intercourse and/or attempted sexual intercourse	☐
• Possession/ dissemination/ production of child pornography or child abuse material	☐
• Using children to produce pornography	☐
• Grooming or procuring children under the age of 16 years for unlawful sexual activity	☐
• Any sexual activity. Note - Within Gondwana Choirs any sexual activity with a child is deemed non-consensual on the basis of special care relationships. Special care relationships are defined in section 73 of <i>the Crimes Act 1900</i> (NSW) and include a relationship between a child and an adult with whom they have an established personal relationship in connection with the provision of religious, sporting, musical or other instruction to the child.	☐
SEXUAL MISCONDUCT - crossing professional boundaries	
Has there been an allegation that any of the following have been committed against, with or in the presence of a child or young person or group of children or young people?	
• Overly personal or intimate relationship established when in a position of trust or power	☐
• Overly personal or intimate conduct	☐
• Overly personal or intimate focus on a child or young person or group of children or young people	☐
SEXUAL MISCONDUCT - sexually explicit comments and other overtly sexual behaviour	
Has there been an allegation that any of the following have been committed against, with or in the presence of a child or young person or group of children or young people?	

• Conversations of a sexual nature not related to a valid educational role or context	☐
• Comments that express a desire to act in a sexual manner	☐
• Unwarranted and inappropriate touching	☐
• Sexual exhibitionism	☐
• Personal correspondence (including electronic communications such as emails and text messages) with a child or young person in relation to the adult's sexual feelings for a child or young person	☐
• Exposure of children and young people to sexual behaviour of others including display of pornography	☐
• Watching children undress. For example, in change rooms or toilets when supervision is not required or justified.	☐
PHYSICAL ASSAULT	
Has there been an allegation of physical assault that includes ANY of the following?	
• An act committed on or towards a child, involving either the unjustified use of physical force against the child or an act that caused the child to think that immediate force would be used on them	☐
• An act committed on or towards a child, enacted with recklessness (where the person ought to have known that their actions would cause a person physical harm or cause them to fear injury.)	☐
ILL TREATMENT	
Has there been an allegation of ill-treatment of a child, including (for example) in any of the following ways?	
• Disciplining or correcting a child in an obviously unreasonable or abusive manner	☐
• Making excessive and obviously unreasonable demands on a child	☐
• Malevolent acts towards a child	☐
• Hostile use of force against a child	☐
NEGLECT	
Has there been an allegation of a PATTERN of failure by a person who has care responsibilities towards a child by their action or inaction in any of the following areas to the extent that the long-term physical, emotional or intellectual well-being of the child could be impacted?	
• Supervisory neglect	☐
• Carer neglect (involves depriving a child of the basic necessities of life - food, drink, clothing, critical medical care or treatment, or shelter)	☐
• Failure to protect from abuse - an obviously or very clearly unreasonable failure to respond to information strongly indicating actual or potential serious abuse of a child.	☐
• Reckless acts (or failure to act) that involves a gross breach of professional standards and has the potential to result in the death of or significant harm to a child.	☐
BEHAVIOUR CAUSING PSYCHOLOGICAL HARM	
Has there been an allegation of a PATTERN of behaviour that is inappropriate and causally linked to significant emotional harm or trauma to a child that includes ALL of the following?	

An obviously or very clearly unreasonable or serious act or series of acts that the employee knew or ought to have known was unacceptable, and	☐
Evidence of psychological harm to the child that is more than transient, including the child displaying patterns of 'out of character behaviour', regression in behaviour, distress, anxiety, physical symptoms or self-harm, and	☐
An alleged causal link between the employee's conduct and the psychological harm to the child.	☐
GROOMING BEHAVIOUR	
Has there been conduct done with the intention of making it easier to commit a sexual offence or engage in sexual misconduct with a child? This behaviour may include exposing the child to indecent material, providing them with intoxicants, of giving the child material benefits.	☐
A SECTION 43B OF THE <i>CRIMES ACT 1900</i> (NSW) OFFENCE	
Has there been a failure to reduce or remove the risk of a child becoming a victim of child abuse?	☐
A SECTION 316 OF THE <i>CRIMES ACT 1900</i> (NSW) OFFENCE	
Has a crime not been reported?	☐
A SECTION 316A OF THE <i>CRIMES ACT 1900</i> (NSW) OFFENCE	
Has a child abuse offence not been reported?	☐

Do I need to report an allegation to the NSW Office of the Children's Guardian



Staff and Volunteers Code of Conduct – Working with Children

56. All employees and volunteers engaged by Gondwana Choirs are expected to protect the safety of the children in their care. Unless specifically stated, 'employee' refers to contract, casual and permanent employees of the Company.
57. The majority of the choristers of Gondwana Choirs are children, under the age of 18 years. Our choristers over the age of 18 years are still young people and therefore entitled to the same duty of care as younger choristers, though the application of that care may differ.
58. The purpose of this Code of Conduct is to outline the standard of conduct required from adults when they are working with children and young people, whether the engagement is volunteer, contract, casual or permanent.
59. It is based on the main principal that the safety and wellbeing of choristers and any children in our care is always paramount.

Professionalism

60. All employees and volunteers are expected to maintain a professional standard of behaviour and perform their duties with skill, care, diligence, impartiality, and to the best of their ability.
61. In performing their duties, employees and volunteers must:
 - a. keep up to date with advances and changes in their area of expertise;
 - b. conduct themselves in a manner consistent with the ethics of their profession;
 - c. comply with relevant legislative and administrative requirements; and
 - d. be familiar with, and comply with, official guidelines, recommendations and company policies.

Child Safe Conduct

62. When interacting and engaging with children and young people, employees and volunteers will:
 - a. treat choristers and their families with courtesy and respect;
 - b. use positive and appropriate language with children and young people, with a view to facilitating honest and open communication;
 - c. maintain clear and professional boundaries with children at all times; and
 - d. model behaviours for children and young people that encourages a positive and safe learning environment.
63. Employees and volunteers must listen and respond to the views and concerns of children, particularly if they communicate that they do not feel safe. Any such concerns are to be immediately reported in accordance with the Reporting Policy, regardless of whether it was meant to be in confidence.
64. Physical contact with choristers must be appropriate, necessary and acceptable to the child.
 - a. Examples of appropriate, necessary physical contact may include: injury management; or to demonstrate a skill or for instructional purposes as part of an activity.
 - b. Examples of inappropriate physical contact may include: violent or aggressive behaviour such as hitting, kicking, slapping, pushing, kissing, hugging or touching of a sexual nature.
65. Employees and volunteers must not spend time unsupervised with children or young people unless it is essential to do so. Any such unsupervised time should be with prior parental or company permission.
66. Where an employee is left with the responsibility for a single chorister, they should ensure that this is in an open space or in view of others. Where this is not possible or practical and there is cause for concern, it should be discussed with the Executive Director or Artistic Director as soon as possible.

67. In the normal course of events an employee should not be alone with a chorister in a car without the written permission of the chorister's legal guardian. In this case, the employee must ensure the car is in good order, with current registration, and the driver has a current driver's licence.
68. Social relationships between employees/volunteers and choristers are discouraged, and staff must be alert to the risk involved given their position of special care.
69. Employees and volunteers must not, under any circumstances engage in intimate and/or sexual relationships with current choristers under the age of 18 or engage in any conduct of a sexual nature with a chorister:
- a. Relationships with recently departed choristers are also strongly discouraged.
 - b. Any sexual activity with a person under 18 will be deemed non-consensual on the basis of special care relationships as provided for in section 73 of the *Crimes Act 1900*. Any suspected breach of the law will be immediately reported to the police.
70. Employees should be cautious of making personal comments about a chorister and never discuss matters of a sexual, sensitive or private nature.
71. It is acknowledged that relationships may pre-exist between staff and choristers and these should be brought to the attention of the Executive Director and/or Artistic Director for the avoidance of confusion, without exception.

Employees and Volunteers

72. Employees and volunteers should take particular care if they find themselves invited to have a friendship with a chorister on social media or by telephone. It is acknowledged that communities on social media are extensive, and choristers themselves may initiate friendship connections with employees or volunteers on social media. Gondwana Choirs does not disallow social media friendships with choristers, though it is discouraged for the reason that private conversations can lead to inappropriate behaviours. Any interaction on social media between staff and choristers must adhere to the Gondwana Choirs Social Media Policy.
73. Employees and volunteers must not supply, neither should they condone, the use of alcohol or tobacco by choristers under the age of 18, nor should they supply or condone the use of illicit drugs by any chorister. Alcohol must not be consumed in the presence of choristers without the approval of the Executive Director and/or Artistic Director.
74. Employees and volunteers must immediately disclose to the Executive Director or Artistic Director if they:
- a. are the subject of an investigation into allegations of inappropriate sexual behaviour involving children, whether by police, regulatory authorities, or other institutions;
 - b. have any criminal charges or convictions of sexual offences; or
 - c. are suspended from, or refused a WWCC (or equivalent).

Breach of this Policy

75. Contravention of any of these Child Safe Policies and any of the associated company policies may lead to disciplinary action being taken

Responsibilities

76. It is the responsibility of individual employees to adhere to this policy. Any questions should be referred to the Executive Director or Artistic Director.

Child Safe Practices and Procedures

Background

77. Gondwana Choirs has over 34 years of experience in running safe and successful educational, performance and touring programs in Australia and internationally, and assessing and managing this risk remains a constant focus of the Board and management.
78. Operational and logistical aspects of Gondwana Choirs' operations including performance and touring contract terms and conditions, venues, location, security, supervision, transport, accommodation, safety, etc are regularly reviewed against Board policies and legislative requirements across Australia to ensure the arrangements affecting our duty of care obligations meet our requirements.

Duty of Care

79. Duty of care is the responsibility to ensure the safety of those in our care. As outlined in our Statement of Commitment, Gondwana Choirs is committed to the safety and wellbeing of our choristers - all the children and young people who participate in our activities. Our staff, volunteers and external providers will treat choristers with respect and understanding at all times. Choristers over the age of 18 are entitled to the same duty of care as younger choristers, though the application of that care may differ.
80. Gondwana Choirs' staff and volunteers owe a duty to take utmost care for the safety and welfare of choristers whilst choristers are involved in Gondwana Choirs activities. The duty is to take such measures in all circumstances to protect choristers from risks of harm that ought to be foreseen. This requires not only protection from known hazards, but also protection from harm that could foreseeably arise and against which preventative measures can be taken.
81. In meeting their duty of care responsibilities, staff and volunteers must exercise their professional judgment to achieve a balance between ensuring that choristers do not face an unreasonable risk of harm and encouraging choristers' independence and maximising learning opportunities. In order to achieve such high artistic standards, Gondwana Choirs' choristers are capable of taking on high levels of artistic responsibility. We aim to foster a similar standard of personal responsibility.

Safety

82. Staff and volunteers must take reasonable care to ensure that no chorister or adult is exposed to any risk of injury. Staff have an obligation to consider this in the planning stage of any activity and concerns should be raised with the Executive Director and/or Artistic Director. The standard of care required is that of a skilled professional. Staff must be familiar with and adhere to the Company's Work, Health and Safety (**WHS**) policies, including evacuation and other emergency procedures.

Injury /illness

83. Ill or injured choristers are to be treated in accordance with the company's WHS policy. Staff and/or volunteers are expected to maintain responsibility for the other choristers in their care, whilst ensuring prompt and adequate treatment for the ill or injured chorister/s. The Executive Director is to be kept informed and an accident/incident report must be completed within 24 hours of the event. Staff should use their judgment about whether minor accidents/illnesses require a written report - refer to the Executive Director if unsure.
84. Assessment of a chorister who is injured or ill may necessitate physical contact. Staff /volunteers should always advise the chorister of what they intend doing and seek their permission. As with any physical contact with a child, ensure that any physical contact with choristers is both appropriate and acceptable to the child. The employee or volunteer attending the child should, where possible, ensure this is done in the view of others.

85. Medication is only to be administered by staff/volunteers in line with the permissions granted by parents prior to any camp or tour. If in doubt, seek guidance from the most senior staff member available who will defer, if deemed necessary, to the parent.
86. At least one member of staff and/or volunteer is required to hold a current First Aid Certificate (or be a qualified medical professional) at each camp or tour. The company will endeavour to take a medically trained person on international tours.

Supervision

87. Adult supervision is provided for all Gondwana Choirs activities at the approximate ratio of one volunteer supervisor per 15-20 choristers for non-residential activities, and for residential activities:

10-12 Age Group
10: 1 ratio
13-14 Age Group
15: 1 ratio
15-17 Age Group
20: 1 ratio

88. This ratio may be adjusted up or down for particular projects depending on the age and experience of choristers. Male and female volunteer supervisors are selected according to the number of male and female choristers participating in each activity. There is also at least one administration staff member assigned to each project in addition to artistic staff.
89. All volunteer supervisors are briefed by staff in advance of their roles and responsibilities for the particular project they are supervising. This briefing includes a Supervisor Handbook, a copy of the Child Safe Policies, the schedule for the project, important contact numbers, as well as guidelines appropriate to that particular activity.
90. Guidelines cover such topics as
 - a. residential accommodation;
 - b. dealing with health / medical issues;
 - c. dealing with behavioural issues;
 - d. security; and
 - e. procedures for standard rehearsals, rehearsals at a different venue and performances.
91. Staff and/or volunteer supervisors are responsible for the supervision and management of choristers in their care. An adult should remain with choristers at any event until all choristers have been collected, parents have been contacted or safe movement of the chorister has been arranged. Choristers in high school may travel from rehearsal unaccompanied, if their guardian has granted this permission through the enrolment process, or in writing separately to staff.

Induction/Training

92. VOLUNTEERS: All volunteers should be across all Gondwana Choirs' suite of Child Safe Policies and procedures. As well as receiving written information in the Supervisor Handbook, all supervisors will be invited to attend an annual face to face training session. If unable to attend this training, the volunteer will be given training individually by the appropriate staff member. Experienced supervisors are selected for high-risk projects such as international tours and residential camps.
93. STAFF: It is mandatory for staff to be across all Gondwana Choirs' Child Safe Policies and the Child Safe Statement. All staff receive written information across the suite of Child Safe Policies and procedures.

Annual mandatory training will be held for all existing staff, led by the Executive Director to refresh on the Child Safe strategies and reporting mechanisms. New staff are also briefed by existing staff members as appropriate.

94. Senior managers and core administrative and artistic staff who work closely with young people will, as required, attend NSW Office of the Children's Guardian e-learning sessions.

Feedback

95. Feedback is sought from volunteer supervisors and staff both during and at the conclusion of each project and incorporated into the planning of future projects as appropriate.

Working with Children Checks

New South Wales

96. In NSW a WWCC is a prerequisite for anyone in child-related work. It involves a national criminal history check and review of findings of workplace misconduct. The result of a WWCC is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring, and relevant new records may lead to the clearance being revoked.
97. Gondwana Choirs falls under the 'Entertainment for Children' sector despite its work in education.
98. Whilst administrative staff who have minimal direct contact with children, short term staff (<5 days in a calendar year with minimal child contact) and parent volunteers are exempt from working with Children Checks, Gondwana Choirs still requires them to be completed.
99. The only exception being where parent supervisors are coming from interstate and are unable to complete the NSW WWCC. In this situation the company requires proof of their interstate check which will suffice until the individual is as soon as practically possible able to complete the NSW WWCC check.
100. It is the responsibility of the Executive Director to ensure that all staff and supervisors are issued with a WWCC clearance number and that it remains current. The application process is required every 5 years and the company will reimburse staff the cost of the check.

Queensland

101. In Queensland, staff are required to hold a Blue Card to verify their eligibility to work with children.
102. Gondwana Choirs is responsible for:
 - a. applying to Blue Card Services for a blue card for paid employees; or
 - b. notifying Blue Card Services if a person who already holds a blue card or exemption card is commencing employment or volunteer work with us, and submitting the relevant form. Submitting the authorisation form is a requirement, and it ensures Gondwana Choirs will be advised of any important status updates for the person such as suspension or cancellation of a blue card.
103. Gondwana Choirs ensure the applicant's identification documents are sighted by the appropriate person within the company and verify that the signature on the application or card matches the signature on their identification documents. Every person signing a declaration form is required to declare they are not a disqualified person and employers must provide a verbal warning to applicants that it is an offence for a disqualified person to sign a blue card application form.
104. Paid employees who work with children and young people must hold a blue card if they work, or are likely to work, for at least:
 - a. eight consecutive days;
 - b. once a week for each week during a period of four weeks;
 - c. once a fortnight for each fortnight during a period of eight weeks; or
 - d. once a month for each month during a period of six months.
105. Gondwana Choirs' policy is that staff and volunteers, regardless of the time periods specified above must hold a Blue Card (or exemption). It is the responsibility of the Executive Director to ensure that there is compliance with Queensland legislation and this policy.

Victoria

106. Gondwana Choirs adhere to the *Worker Screening Act 2020* (Vic) and the associated *Worker Screening Regulations 2021* (Vic), which establish mandatory screening obligations for persons undertaking child-related work in Victoria.
107. The above Victorian legislation applies to all Gondwana Choirs personnel, including employees, contractors, volunteers, students, and any other individuals engaged in activities or services involving direct contact with children as part of their duties. A WWCC is required where an individual meets all criteria for child-related work, including being an adult and undertaking duties involving direct, unsupervised contact with children under 18.
108. All Gondwana Choirs' personnel performing child-related work must hold a valid WWC Check clearance prior to commencing duties. The WWCC assesses criminal history, relevant professional conduct findings, and other factors to determine whether an individual poses a risk to children.
109. A valid clearance is issued for five years. Gondwana Choirs' personnel who do not pass the assessment will receive a WWCC Exclusion and are prohibited from undertaking child-related work.
110. Some Gondwana Choirs personnel may be exempt from requiring a WWCC, including any minors, certain parent volunteers and individuals who are subject to equivalent professional screening. Exemptions exist only where expressly permitted under the above Victorian legislation and do not prevent Gondwana Choirs from requiring checks, where deemed appropriate.
111. Gondwana Choirs personnel must ensure all workers and volunteers in child-related roles hold a valid WWC Check before they commence duties. Ongoing verification, including monitoring digital or physical WWC card status is required.
112. Gondwana Choirs must maintain accurate records of all WWCC details, including card numbers, expiry dates, and any notifications of suspension or cancellation.
113. If notified of a WWCC suspension or cancellation, Gondwana Choirs must immediately remove the individual from any child-related role until the matter is resolved.
114. It is a criminal offence in Victoria for Gondwana Choirs personnel to undertake child-related work without a valid WWCC and for Gondwana Choirs to engage a person in such work without verifying their clearance. Non-compliance with this policy may result in disciplinary action, removal from duties, or legal consequences as applicable under Victorian law.

Tasmania

115. Gondwana Choirs complies with Tasmania's Registration to Work with Vulnerable People (**RWVP**) requirements. Under the *Registration to Work with Vulnerable People Act 2013* (Tas), any individual undertaking child-related work, whether paid or unpaid, must hold a valid RWVP registration before commencing such activities.
116. The RWVP screening process assesses an applicant's criminal history and other relevant background information to determine their suitability to work with children. Registration is generally valid for five years, though some earlier sector-specific Working with Children registrations may remain valid for three years.

117. Gondwana Choirs personnel must begin their application online and finalise it in person at a Service Tasmania centre, where identity documents are verified, a photograph is taken, and any required fee is paid.
118. Gondwana Choirs must ensure that all workers and volunteers who engage in regulated child-related activities hold a current RWVP registration and must verify their status prior to commencement.
119. Gondwana Choirs is legally responsible for determining whether RWVP is required for each role and for monitoring workers' registration status. Gondwana Choirs personnel must comply with ongoing obligations, including maintaining current registration and updating personal details as required. A failure to hold valid RWVP registration when required may result in withdrawal from duties and action under Tasmanian law.

Western Australia

120. In Western Australia, Gondwana Choirs personnel who are employed or engage in child-related work must comply with the *Working with Children (Screening) Act 2004* (WA), which mandates that any person undertaking child-related work, paid or unpaid, must hold a valid Working with Children Check (**WWC Check**). Child-related work is defined by specific categories, including, but not limited to, children's entertainment, overnight camps, and other settings where contact with children is a usual duty. The WWC Check assesses an individual's criminal record and other relevant information to determine whether they pose an unacceptable risk of harm to children. WWC Cards are valid for three years, are monitored on an ongoing basis, and may be suspended or cancelled at any time if new relevant information arises.
121. Gondwana Choirs ensures that any personnel, who require a WWC Check, apply before commencing child-related duties and Gondwana Choirs must verify the validity of a worker's WWC Card or application receipt before allowing any personnel to work.
122. Applications must be completed using official WWC forms obtained through authorised Australia Post outlets, submitted with identity verification, a photo, and applicable fees. A receipt from a lodged application generally permits a worker to begin or continue child-related work while the WWC Screening Unit completes the assessment.
123. Gondwana Choirs must monitor workers' WWC status, maintain internal records, and take immediate action if a worker receives a Negative Notice, Interim Negative Notice, or has their WWC Card cancelled or expired. Gondwana Choirs also ensure no worker or volunteer begins regulated child-related work without either a valid WWC Card or an active application. Providing false or misleading information in an application is an offence.

Australian Capital Territory

124. In the ACT, Gondwana Choirs personnel who are employed or engaged in regulated activities involving vulnerable people, including children under 18, must comply with the Working with Vulnerable People (**WWVP**) Registration scheme.
125. Any Gondwana Choirs personnel performing regulated child-related activities must hold a valid WWVP registration before starting work. Regulated activities include, but are not limited to, child education, accommodation or care services for children, children's commercial entertainment services and roles in clubs or associations with significant child involvement. The scheme assesses an individual's suitability through a national criminal history check and risk assessment, with individuals who pose a risk

not granted registration.

126. Gondwana Choirs is responsible for determining whether a role requires WWVP registration and must verify a worker's registration status before allowing them to commence. Gondwana Choirs personnel can apply online, must provide four identity documents, and must attend an Access Canberra service centre within 30 days for identity verification. Registration is mandatory for both paid and volunteer roles within Gondwana Choirs (with volunteer registrations being free) and must be maintained, including renewing before expiry and updating contact or name-change details.
127. Gondwana Choirs must ensure their workers keep their registration current, monitor for any suspensions or exclusions and remove individuals from regulated roles if their registration lapses or is cancelled.
128. Gondwana Choirs must also implement internal compliance processes to ensure only registered individuals engage in regulated child related activities.

Northern Territory

129. In the Northern Territory, Gondwana Choirs ensures that any person engaged in child-related work holds a valid Working with Children Clearance, commonly known as an Ochre Card.
130. Under the *Care and Protection of Children Act* (NT), all employees, volunteers, contractors, trainees, and anyone else performing work with Gondwana Choirs, that may involve contact with children, must hold a current Ochre Card before commencing duties. The screening process includes a national police check and an assessment of relevant employment history to determine whether an applicant poses an unacceptable risk of harm to children. A criminal record does not automatically disqualify someone, but serious offences involving children are assessed with significant scrutiny.
131. Gondwana Choirs are legally responsible for verifying the validity of an individual's Ochre Card and ensuring it remains current. Gondwana Choirs personnel can apply online, in person, or by mail through SAFE NT and must provide identity documents and (if applicable) a volunteer declaration form.
132. Gondwana Choirs do not allow any person to begin child-related work without a valid Ochre Card or proof of application. Gondwana Choirs must also monitor workers' status, maintain appropriate records, and take immediate action if a worker's clearance expires, is suspended, or is cancelled.
133. Penalties apply to Gondwana Choirs, employees, and volunteers who breach the requirements, with fines of up to \$65,000 for non-compliance.
134. Gondwana Choirs assess roles to determine whether child-related work is involved, applying principles such as whether the role involves physical contact, verbal contact, written communication, or access to children's information.

South Australia

135. In South Australia, Gondwana Choirs ensures that all relevant personnel in prescribed child-related positions hold a valid Working With Children Check (**WWCC**). A WWCC is a legal requirement under the *Child Safety (Prohibited Persons) Act 2016*, and it is an offence for any personnel within Gondwana Choirs to permit child-related work without a current clearance. WWCCs are valid for five years, and relevant Gondwana Choirs personnel may apply for renewal within six months prior to expiry.
136. Gondwana Choirs also verifies and links each personnel's WWCC through the Department of Human Services (**DHS**) Screening Unit online portal, and ensures that clearances remain current at all times.

Privacy and Record Keeping

137. The Executive Director will support and promote best practice record keeping in accordance with Gondwana Choirs' Privacy Policy and statutory requirements.
138. Gondwana Choirs complies with the *Privacy Act 1988* (Cth).
139. Results of WWCC are treated with the utmost confidentiality at all times.
140. Appropriate security measures will be put in place to restrict access to confidential documents that are stored in both hard and soft copy.

Applicable Child Protection Legislation throughout Australia

Australian Capital Territory

- *Working with Vulnerable People (Background Checking) Act 2011*
- *Children and Young People Act 2008*
- *Children and Young People (ACT Childcare Services) Standards 2009 (No. 1)*
- *Children and Young People (Employment) Standards 2011 (No. 1)*
- *Crimes (Child Sex Offenders) Act 2005*

New South Wales

- *Child Protection (Working with Children) Act 2012*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Advocate for Children and Young People Act 2014*
- *Child Protection (International Measures) Act 2006*
- *Child Protection (Offenders Prohibition Orders) Act 2004*
- *Child Protection (Offenders Registration) Act 2000*
- *Child Protection (Working with Children) Act 2012*
- *Industrial Relations (Child Employment) Act 2006*

Northern Territory

- *Care and Protection of Children Act 2007*
- *Other relevant legislation Child Protection (Offender Reporting and Registration) Act 2004*
- *Children's Commissioner Act 2013*

Queensland

- *Working with Children (Risk Management and Screening) Act 2000*
- *Child Protection Act 1999*
- *Child Employment Act 2006*
- *Child Protection (International Measures) Act 2003*
- *Working with Children (Risk Management and Screening) Act 2000*
- *Director of Child Protection Litigation Act 2016*

South Australia

- *Child Safety (Prohibited Persons) Act 2016*
- *Children and Young People (Safety) Act 2017*
- *Child Protection Review (Powers and Immunities) Act 2002*
- *Child Safety (Prohibited Persons) Act 2016*
- *Child Sex Offenders Registration Act 2006*
- *Children and Young People (Oversight and Advocacy Bodies) Act 2016*
- *Family and Community Services Act 1972*

Tasmania

- *Registration to Work with Vulnerable People Act 2013*
- *Children, Young Persons and Their Families Act 1997*
- *Child Care Act 2001*
- *Child Protection (International Measures) Act 2003*
- *Commissioner for Children and Young People Act 2016*

Victoria

- *Working With Children Act 2005*
- *Children, Youth and Families Act 2005*
- *Child Employment Act 2003*
- *Child Wellbeing and Safety Act 2005*
- *Commission for Children and Young People Act 2012*
- *Sex Offenders Registration Act 2004*

Western Australia

- *Working with Children (Criminal Record Checking) Act 2004*
- *Children and Community Services Act 2004*
- *Child Care Services Act 2007*
- *Children and Community Services Act 2004*
- *Commissioner for Children and Young People Act 2006*
- *Community Protection (Offender Reporting) Act 2004*