

Child Safe Code of Conduct

All board members, staff and volunteers of Melbourne Writers Festival (MWF) are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- adhering to MWF's Child Safe Policy, and taking all reasonable steps to protect children from abuse by an adult or another child;
- actively promoting the cultural safety, participation and empowerment of Aboriginal children to express their culture and enjoy their cultural rights;
- actively promoting the inclusion, participation and empowerment of vulnerable children including children with disabilities, LGBTQI children or children from culturally and/or linguistically diverse backgrounds;
- supporting all children to develop social connections and friendships with their peers;
- informing children of their rights to safety, information and participation in an age-appropriate way, and supporting children to 'have a say' on issues that are important to them;
- listening and responding to the views and concerns of children, particularly if they are saying that they or another child has been abused, or are worried about their safety, or the safety of another;
- ensuring as far as practicable that an adult who is not a parent, guardian or teacher of a child is not left alone with that child;
- reporting any allegations of child abuse or safety concerns to MWF's General Manager (as designated Child Safety Officer) as soon as possible, so that appropriate action and reporting to relevant agencies may be undertaken;
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe;
- not tolerating racism, discrimination, bullying or isolating behaviour, and appropriately addressing issues when identified; and
- treating everyone with respect.

Staff and volunteers must not:

- allow themselves to be left alone with a child at any time. It is always preferable for another supervising adult or the child's teacher, guardian or family member to also be present;
- develop any special relationships with children that could be seen as favouritism (for example, offering gifts or special treatment to specific children);
- exhibit behaviours with children which may be construed as unnecessarily physical, or do things of a personal nature that a child can do for themselves (such as toileting or changing clothes);
- engage in discussions of a mature or adult nature, or use inappropriate language, in the presence of children;
- express personal views on cultures, race or sexuality in the presence of children; or discriminate against anyone of any age, including because of culture, race, ethnicity or disability;
- seek or maintain contact with a child, including online contact, in a manner that is personal, or is beyond the scope of that child's engagement with MWF;
- ignore or disregard any suspected or disclosed child abuse;
- create, obtain, share, display or distribute images or recordings of children without the prior consent of a parent or guardian or, in the case of a MWF Festival ticketed event, in a manner that is inconsistent with the terms and conditions of MWF ticket sales or the Child Safe Policy.

Child Safe Policy

1. Introduction and Purpose

This policy has been developed in line with Victoria's new Child Safe Standards, which came into effect on 1 July 2022¹. As a charity, and an entity that provides some services specifically for children, the Child Safe Standards apply. A child is defined as a person under the age of 18 years.

Melbourne Writers Festival (MWF) brings people together to be inspired and celebrate books, culture and ideas. Children are vital and active participants in our Festival. We seek to ensure equity and inclusion in all our programs, and we are committed to the safety of children of all ages, abilities, characteristics and cultural backgrounds. MWF invites children and young people to be involved in our Festival through our *MWF Schools Program* (targeted at primary and secondary school levels) and our *Children, Young people and Families programming* (specific sessions targeted at this cohort as part of the main Festival program). We also have arrangements with some private schools to design and deliver book-related events for their students.

The purpose of this policy is to outline the commitment of MWF's Board, management, staff and volunteers to the safety of children attending and participating in the Schools Program and broader Festival activities.

It aims to ensure that everyone involved in our organisation is aware of their responsibilities for identifying and reporting child safety concerns, and outlines the procedures we have in place to create a safe, inclusive environment for the children who come into contact with MWF.

2. Definition of 'Working with Children'

In line with the Working with Children Act 2005, 'working with children' means work that usually involves, or is likely to involve, regular direct contact with a child in connection with a service, place or activity directed at children, and where that contact is not directly supervised by another person.²

3. MWF's commitment to child safety

As an organisation, MWF:

- wants children to be safe, happy and empowered. We will ensure that all children feel safe, and are safe, when participating in MWF programs and are supported to develop social connections with their peers.
- is committed to the cultural safety of Aboriginal children and establishing a culturally safe environment in which the unique identities and experiences of Aboriginal children are respected and valued;

¹ There are 11 Standards (see Appendix A) expressed as a statement of an expected **outcome** that organisations must achieve; **minimum requirements** that organisations must meet; and **compliance indicators** (documents and actions) that evidence that minimum requirements are being met.

As a charity, MWF is subject to the Child Safe Standards: section 19 and Schedule 1, Child Wellbeing and Safety Act 2005 (Vic)

² See section 9, Working with Children Act 2005

- promotes the inclusion, participation and empowerment of vulnerable children including children with a disability, LGBTQI children and children with culturally and/or linguistically diverse backgrounds;
- has zero tolerance of child abuse, racism, bullying and isolating behaviours, and we will ensure that all allegations and safety concerns are treated seriously, sensitively and consistently;
- recognises its legal and moral obligations to contact authorities when we are worried about a child's safety;
- is committed to identifying risks early, and removing and reducing these risks;
- maintains human resources and recruitment practices for all staff and volunteers;
- is committed to educating our staff and volunteers on child abuse and safety risks.

4. Strategies

Everyone can read this Policy

MWF's commitment to child safety is clearly stated on our website. In addition, this Child Safety and Wellbeing Policy is available on MWF's website along with the Child Safe Code of Conduct which all board members, staff and volunteers must adhere to. Families and carers are welcome to provide comments on these policy documents to MWF.

MWF's website will reflect an inclusive and welcoming physical and online environment for all children, particularly the more vulnerable, such as First Nations children and their families, children with disabilities and children of culturally and linguistically diverse backgrounds.

The nature of MWF's Program means that no staff member or volunteer will be alone with a child without the supervision of the child's teacher/educator, parent or guardian.

Recruitment of staff and volunteers

Under its current programs, no MWF staff or volunteer has regular contact with children as part of their MWF responsibilities.

If, however, in the future there are staff or volunteers who have regular contact with children as part of their MWF responsibilities:

- Recruitment processes for those staff or volunteers (including position descriptions, advertising, referee checks and pre-engagement screening), will make clear MWF's commitment to child safety and wellbeing.
- MWF's General Manager will be responsible for those staff and volunteers having a valid Working with Children Check.

In addition, if it is a requirement of a Department of Education Funding Agreement, a Working with Children Check will be obtained for any MWF staff or volunteers with contact with children. This is currently a requirement of the 2024/25 Funding Agreement.

Training and supervision

Training and education help ensure that everyone in MWF understand their responsibilities to children and young people. All relevant staff and volunteers will be provided with information on our Child Safety and Wellbeing Policy, Child Safe Code of Conduct and information sharing/reporting/record keeping obligations as part of their induction to ensure that everyone feels confident and comfortable in discussing any allegations of child abuse or child safety concerns.

Relevant staff and volunteers will be provided with information to help them:

- understand, recognise and act on signs of child abuse or harm;
- promote equity (respect for diversity) and safety for all children;
- build culturally safe environments for Aboriginal children and children from culturally and linguistically diverse background; and
- support a child or other person making a disclosure of harm or abuse.

Ensuring cultural safety for Aboriginal children

MWF may provide programs or activities specially designed for Aboriginal children to connect with and express their culture, and enjoy their cultural rights, in a literary and storytelling context. We will actively promote the cultural safety, participation and empowerment of Aboriginal children, young people and their families, in attending these programs.

MWF Schools Program leaders are encouraged to seek input from Aboriginal representatives when developing artistic or educational programs for Aboriginal children and to continuously build awareness and understanding of Aboriginal cultures.

MWF engages an Educational Consultant to design and facilitate the MWF Schools Program. The Educational Consultant is responsible for planning and taking action to establish a culturally safe environment for Aboriginal children participating in MWF Schools.

Family/Adult attendance

MWF acknowledges that the inclusion of family members can often help a child to feel safe and to happily engage in external activities. It is therefore expected that a child will not attend a MWF *Children and Families* festival event without a parent or guardian present. *Children & Families* events are not designed for unattended children. However, MWF is committed to making its artistic program accessible by people of all ages.

Children are only able to attend *MWF Schools' Program* events as part of a school group, under the supervision of a teacher or attending adult engaged as part of that excursion. Adults (other than MWF staff, contractors or employees) are not permitted to attend MWF Schools' Program unless they are accompanying a child.

Photography, video, and other documentation and publication

MWF will take photographs, videos or voice recordings of children participating in *MWF Schools Programs*, unless requested NOT to by a parent/guardian or the teacher/school. This is covered in our terms and conditions when purchasing tickets in the *Schools Program*.

MWF has a professional photographer attend the Festival and makes an audio recording of events. Where a parent/guardian brings a child or young person to a *Children and Families* Festival event, they should be aware that in this way their attendance may be recorded. Under MWF's terms and conditions of Festival ticket sales, the purchase of a ticket provides permission for attendees' images to be taken and used for the intended purposes. If a parent/guardian does not wish for their child to be photographed, the parent/guardian must inform a MWF representative (staff or volunteer) on the day of the event.

Recorded content from the *Schools Program* or Festival may be used by MWF in our publications, reports, funding applications, promotional materials, online content and marketing. All images will be stored securely and not used for any other purpose. Images released to MWF by, for example, attending teachers at a Schools Program, will be stored securely and not publicly disclosed.

Whilst MWF asks all Festival attendees not to take photographs or recordings at any of its events, MWF cannot take responsibility for other patrons taking photographs or recordings that may include a child's image without permission.

5. Legislative responsibilities

Legal responsibilities

MWF takes its legal responsibilities to report suspected abuse of children seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the Police.³
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.⁴
 - Any personnel who are **mandatory reporters** (such as doctors, nurses, teachers, principals etc) must comply with their duties.⁵
 - MWF is also committed to supporting any mandatory reporters (e.g. teachers) involved in MWF activities to report suspicions of child abuse, and should any concerns be raised with MWF staff or volunteers, those concerns will be treated with the utmost seriousness.

³ A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the Department of Justice and Community Safety website: [Failure to disclose offence | Department of Justice and Community Safety Victoria](#).

⁴ Further information about the failure to protect offence is available on the Department of Justice and Community Safety website: [Failure to protect: a new criminal offence to protect children from sexual abuse | Department of Justice and Community Safety Victoria](#).

⁵ Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. The Department of Families, Fairness and Housing provides information on how to report to Child Protection services <<https://providers.dffh.vic.gov.au/making-report-child-protection>>

Allegations, concerns and complaints

MWF encourages the reporting of all child safety concerns. MWF takes all allegations seriously and has practices in place to investigate reports thoroughly and quickly. Our staff and volunteers are informed how to deal appropriately with allegations.

MWF works to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse, are a victim of abuse, or notice inappropriate behaviour towards a child by an adult or other children.

MWF believes all individuals have a responsibility to report an allegation of abuse if they have a reasonable belief that an incident has occurred (see failure to disclose, above). If an adult has a reasonable belief that an incident has occurred, then they must report the incident.

Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves);
- behaviour consistent with that of an abuse victim is observed⁶;
- someone else has raised a suspicion of abuse but is unwilling to report it;
- observing suspicious behaviour.

Safety concerns about a child or young person

If you have **immediate safety concerns** about a child or young person, please call 000.

For non-urgent police matters, call 131 444, or go to your local police station.

If you have **general safety concerns** about a child or young person, please contact the Child Protection intake office where the child lives: [Child protection contacts - DFFH Services](#)

After 5pm and on weekends, contact the Child Protection After Hours service on 13 12 78.

If you need information about making a formal report or notification to the Commission for Children and Young People, please see our [Report a concern page](#).

Commission for Children and Young People [CCYP | Contact](#)

⁶ For example behaviour, please see information booklet provided on the Department of Families, Fairness and Housing website: <<https://providers.dffh.vic.gov.au/sites/default/files/2017-06/Child-sexual-abuse-understanding-and-responding.docx>>

Reporting and Complaint Handling

MWF's General Manager, as Child Safety Officer, is responsible for addressing any complaints or concerns in relation to alleged abuse or harm of a child, whether by an adult or by other children. This includes alleged breaches of MWF's Child Safe Code of Conduct.

In responding to any complaints raised, the General Manager will:

- Treat all complaints and concerns seriously and sensitively, and respond promptly.
- Prioritize the safety and wellbeing of the child/children when a concern is raised.
- Encourage written reports from staff, volunteers, and third parties in relation to any complaints or incidents, and keep appropriate records securely stored.
- Investigate complaints promptly and fairly, respecting confidentiality and privacy.
- Report allegations to appropriate authorities as required by law, and cooperate with relevant authorities.

If there is an actual or potential conflict of interest in the General Manager dealing with a complaint or conducting an investigation, another senior leader such as the Festival Director or Board Chair, will take over and lead such processes.

The General Manager (or other relevant senior leader) is responsible for reporting allegations of inappropriate behaviour to the appropriate authorities as required under:

- Child Wellbeing and Safety Act 2005 (Victoria)⁷ – report incident to relevant regulator, Child Protection Services⁸ and/or the Commission for Children and Young People⁹;
- Crimes Act 1958 (Victoria) – report incident and any allegations of criminal conduct to Victoria Police;
- Children, Youth and Families Act 2005 (Victoria).

The Board will be notified of all incidents or complaints at the earliest opportunity. Where a complaint has been raised in relation to a MWF staff member or volunteer, the Festival Director in consultation with the Board Chair, and consistent with employment law obligations, will determine appropriate investigatory and disciplinary actions.

6. Regular review

This policy will be reviewed regularly (ie. annually) to ensure it remains up-to-date and effective. Appropriate feedback and consultations will be undertaken to inform these reviews.

MWF policies, procedures and practices will also be reviewed following any significant or serious safety incident, with a view to improving these materials going forward. MWF will be open and

⁷ Reportable conduct relates to a sexual offence, sexual misconduct or physical violence committed against/with/in the presence of a child; behaviour that causes significant emotional or psychological harm; or significant neglect or a child.

⁸ To make a report to child protection a person needs to have formed a reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect, and that their parent has not protected or is unlikely to protect the child from harm of that type. A reasonable belief does not require proof." Department of Families, Fairness and Housing website. <https://providers.dffh.vic.gov.au/making-report-child-protection>

⁹ Information on regulation of the Child Safe Standards (and the various co-regulators) is available on the Commission for Children and Young People's website: [CCYP | Regulating the Standards](#)

transparent as to the outcomes of relevant child safety reviews (noting confidentiality and privacy considerations), and any improvements to policies and practices made.

APPENDIX A – CHILD SAFE STANDARDS (APPLY FROM 1 JULY 2022)

Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture

Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously

Standard 4: Families and communities are informed and involved in promoting child safety and wellbeing

Standard 5: Equity is upheld and diverse needs respected in policy and practice

Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

Standard 7: Processes for complaints and concerns are child-focused

Standard 8: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

Standard 10: Implementation of the Child Safe Standards is regularly reviewed and improved

Standard 11: Policies and procedures document how the organisation is safe for children and young people.