

# **The Child and Youth Safe Organisation**

## **Reflexions Dance Studio Policy**

### *Updated January 2024*

#### **Reportable Conduct Contacts:**

Strong Families, Safe Kids Advice and Referral Line:

Call 1800 000 123

Tasmanian Sexual Assault Support Line (24 hour response)

Call 1800 697 877

Family Violence Counselling and Support Service:

Call 1800 608 122

#### **THE INDEPENDENT REGULATOR**

Email [contact@oir.tas.gov.au](mailto:contact@oir.tas.gov.au)

Call 1800 754 728

Or go to website to 'Report A Concern'

<https://www.oir.tas.gov.au/report-a-concern>

# THE CHILD AND YOUTH SAFE STANDARDS

**Standard 1:** Reflexions Staff puts children and young people's safety and wellbeing above everything else. Management will make sure they act that way and lead staff to act that way.

*See Reflexions' Terms and Conditions to view our safety precautions/procedures.*

[http://www.reflexionsdancestudio.com/content/files/Terms\\_and\\_Conditions\\_Reflexions.pdf](http://www.reflexionsdancestudio.com/content/files/Terms_and_Conditions_Reflexions.pdf)

**Standard 2:** Children and Young People know their rights and have a say in decisions and are taken seriously.

*Reflexions Staff will act on children's views and address their concerns. Students' views and opinions will be respected and taken seriously. They shouldn't feel their opinions will be dismissed or regarded as invalid because of their age.*

*Staff will create professional and welcoming class environments where students of all backgrounds feel safe to participate. By ensuring that students feel understood and seen, they are likely to feel comfortable revealing any unsafe or troubling situations.*

*Staff will actively seek student voice in decisions that affect them and support them having the right to contribute to matters that arise in class that could affect their well-being/safety.*

**Standard 3:** Reflexions Community/Parents are informed about the Studio's Child and Young People's Policy

*Our Terms and Conditions, Staff Policy/Code of Behaviour and CYSOF Policy are available to view in the 'Forms' section on our website.*

<http://www.reflexionsdancestudio.com/files/>

**Standard 4:** Equity. Reflexions gives *all* children/young people the same respect, fairness and dignity.

*Reflexions Dance Studio welcomes all children, young people and families irrespective of sexual orientation, gender identity, or sex/intersex status.*

*Reflexions is inclusive of Aboriginal and Torres Strait Islander children, young people and families as well as children/young people with a disability and/or from the LGBTQIA+ community.*

**Standard 5:** Reflexions Staff are suitably taught and supported to follow child safety and wellbeing practices.

*Reflexions staff are safe to work with children, they all hold a WWVP licence. They are respectful of young people and taught and given guidelines as to how to keep children safe and well. They have agreed to the Teacher Policy/Code of Behaviour which is designed to help keep young people safe.*

[http://www.reflexionsdancestudio.com/content/files/Teacher\\_Policy\\_Code\\_of\\_Behaviour\\_Website\\_View\\_Copy.pdf](http://www.reflexionsdancestudio.com/content/files/Teacher_Policy_Code_of_Behaviour_Website_View_Copy.pdf)

**Standard 6:** Processes to respond to complaints and concerns are child focused. Children and Young People are listened to.

*Reflexions staff know to listen to children/young people and families and report asap any claims or observations of abuse straight to management. Staff know that they are to 'listen' and ask 'clarifying questions' but not to investigate/ask for more details about the claim the child is making. To be supportive and approachable.*

*To let the child know that they have done the right thing by talking to them and that it will be reported e.g 'Thank you for trusting me enough to tell me about this' or ' You have done the right thing by telling me about this' and then 'This is something that I do have to report. I must do this to ensure you are safe'.*

*If the staff believe a child is in immediate danger and there's no time to consult Management, to call 000.*

*Staff will report claims to Management ASAP and Management (alongside staff member) will follow the process of THE REPORTABLE CONDUCT SCHEME.*

**Standard 7:** Reflexions Staff put the Child and Safety Rules into place and follow them.

*Reflexions Management will regularly monitor/review/update the Child and Youth Safety Rules the Reflexions Terms and Conditions and The Teacher Policy/Code of Behaviour and check all staff understand and follow them.*

## **Standard 8:** Children are safe in our Online Environments.

*See points 4 and 5 of the Reflexions Teacher Policy/Code of Behaviour as to the steps Reflexions staff will follow:*

4. To refrain from connecting (messaging/following/accepting requests) with child aged students on all forms of social media. Exception to this is that they can be in the official teacher run 'Reflexions Class Chat' (providing the child's parent/guardian is also in it). No following or accepting follow requests on your own personal Social Media platforms.
5. To go directly through the parent/guardian when communicating outside of the 'Reflexions Class Chat'.
6. To refrain from posting any footage/photos of your students on social media without prior permission from management.

Management has control of Reflexions Dance Studio's official social media sites and will decide which content is appropriate to appear.

See Rule 26 in Reflexions Dance Studio's Terms and Conditions:

26. Reflexions Dance Studio uses professional photographers/videographers for still and film footage at Graduations/Concerts. This footage is used for individual purchase by students and may be used for marketing, promotional purposes (including on the Studio's official social media), and the local media. All students participating in a Graduation Concert, by their involvement, give permission to be photographed/filmed and for this footage to be used as described above. Management may also take photos/film footage during class time/backstage at Concerts to be used as described above.

**Standard 9:** Reflexions will regularly review and improve the Child Safety and wellbeing practises.

**Standard 10:** Policies and procedures are written down and can be publicly viewed on the Reflexions Dance Studio Website under 'Forms'.

*See our Terms and Conditions to view our safety precautions/procedures.*

[http://www.reflexionsdancestudio.com/content/files/Terms\\_and\\_Conditions\\_Reflexions.pdf](http://www.reflexionsdancestudio.com/content/files/Terms_and_Conditions_Reflexions.pdf)

## THE REPORTABLE CONDUCT SCHEME

The owner/manager of Reflexions will report to the Independent Regulator concerns of conduct related to child abuse involving a worker and conduct investigations.

The Independent Regulator will provide advice and guidance to the owner/manager on how to conduct our own reportable conduct investigation. Then report these back to the Independent Regulator.

### **Things to Report:**

- \* significant emotional or psychological harm
- \* significant neglect.
- \* physical violence
- \* a sexual offence
- \* grooming
- \* Relevant offences such as failing to report child abuse and female genital mutilation

### **Timelines for Reporting:**

Staff to report any of the above to Owner/Manager straight away.

### **Report: *Within 3 business Days***

Owner/Manager to notify the Independent Regulator in writing and provide:

- That a reportable conduct allegation has been made, or that a reportable conviction recorded against a staff member has been made.
- Staff members name and DOB.

- If suspected criminal behaviour, if Tasmania Police has been informed.
- The studio's name, address, and telephone number.
- The owner/Managers name.

### **Investigate: *As soon As Possible***

- Owner/Manager to start an investigation or get an independent regulator to do so.

### **Update: *Within 30 Days***

- All information at that point re allegation or conviction
- Whether any actions have been taken (e.g. placing a limit on staff interaction with children).
- Any written submissions the staff member involved has asked to be taken into consideration.

### **Close Off: *At end of investigation***

### **Owner Manager to provide to Independent Regulator**

- Findings and reasons of findings of the investigation.
- Details of any action that have been taken as a result.



# Reportable Conduct

The definition of reportable conduct under the Reportable Conduct Scheme includes a range of conduct committed against, or in the presence of, children and young people, and is broader than suspected criminal behaviour alone.

Type of Reportable Conduct	What it means
Grooming	<p>Grooming means befriending and establishing an emotional connection with a child (and/or the child's guardian, family or friend or a worker) for the purpose of establishing trust to normalise sexually harmful behaviour or engage in an unlawful act, criminal offence or sexual misconduct against a child.</p> <p>Grooming occurs in a pattern of manipulative or controlling behaviours. These behaviours can take place in a range of settings.</p> <p>Examples of grooming behaviour include:</p> <ul style="list-style-type: none"><li>• isolating a child from their peers to spend time alone</li><li>• befriending a child in person and continuing to communicate with the child online</li><li>• giving gifts, money or alcohol to a child, parent or friend to gain access to a child</li><li>• inappropriate touching of a child, including tickling and play fighting</li><li>• asking a child not to tell anyone about their behaviour.</li></ul> <p>For the purpose of:</p> <ul style="list-style-type: none"><li>• establishing trust to normalise sexually harmful behaviour or engage in an unlawful act, sexual offence or sexual misconduct against a child.</li></ul> <p>Grooming behaviour can also be a sexual offence under section 125D of the <i>Criminal Code Act 1924</i>.</p> <p>If you are unsure if an allegation of grooming behaviour is a criminal offence, you should contact Tasmania Police.</p>
Physical violence	<p>Physical violence means</p> <ul style="list-style-type: none"><li>• actual physical violence: the intentional or reckless application of physical force to a person without lawful justification or excuse; or</li><li>• apprehended physical violence: any act which intentionally or recklessly causes a person to apprehend immediate and unlawful violence to the person.</li></ul> <p>Examples of actual physical violence include hitting, punching, pushing, kicking and spitting. Examples of apprehending physical violence include words or actions which indicate that physical violence will occur to the child <i>in the future</i>.</p>
Relevant offence	<p>The definition of reportable conduct included in the Framework includes 'a relevant offence' because there are other types of conduct that need to be reported, but don't easily fit into the other categories.</p> <p>Under the Reportable Conduct Scheme, a relevant offence is:</p> <ul style="list-style-type: none"><li>• a sexual offence under the <i>Criminal Code Act 1924</i></li><li>• failing to report the abuse of a child</li><li>• female genital mutilation</li><li>• inciting or attempts to commit crimes that are inciting or attempts to commit offences listed above</li><li>• accessories after the fact for crimes that are inciting or attempts to commit offences listed above.</li></ul>

Type of Reportable Conduct	What it means
Sexual offences and sexual misconduct	<p><b>Sexual offences</b></p> <ul style="list-style-type: none"> <li>• Sexual offences include:</li> <li>• bestiality (given this often co-occurs with sexual abuse of people)</li> <li>• penetrative sexual abuse of child or young person</li> <li>• person permitting penetrative sexual abuse of child or young person on premises</li> <li>• persistent sexual abuse of child or young person</li> <li>• indecent act with child or young person</li> <li>• procuring child or young person for sexual abuse</li> <li>• communications with intent to procure child or young person</li> <li>• penetrative sexual abuse of person with mental impairment</li> <li>• indecent assault</li> <li>• procuring a person for penetrative sexual abuse by threats or fraud</li> <li>• involving person under 18 years in production of child exploitation material</li> <li>• production of child exploitation material</li> <li>• distribution of child exploitation material</li> <li>• possession of child exploitation material</li> <li>• accessing child exploitation material</li> <li>• incest</li> <li>• indecency</li> <li>• rape</li> <li>• inciting or attempts to commit crimes that are inciting or attempts to commit offences listed above</li> <li>• accessories after the fact for crimes that are inciting or attempts to commit offences listed above</li> <li>• wilfully and obscenely expose one's person in public.</li> </ul>
	<p><b>Sexual misconduct</b></p> <p>This conduct may overlap with criminal conduct. When performed in a sexual manner or with a sexual intention, sexual misconduct includes:</p> <ul style="list-style-type: none"> <li>• inappropriate behaviour</li> <li>• physical contact</li> <li>• voyeurism (which means watching someone or others)</li> <li>• speech or other communication, including electronic communication.</li> </ul> <p>Sexual misconduct is conduct that doesn't meet the acceptable standard of behaviour by a worker or volunteer and is committed in a sexual manner or with sexual intention.</p> <p>Sexual misconduct may occur in a variety of settings, including in person communication and online communication.</p> <p>Examples of sexual misconduct include inappropriate comments to a child about an area of their body in a sexual manner and inappropriate touching of a child.</p> <p>Another example would be intentionally showing a sexually explicit movie to a child for sexual gratification.</p>

Type of Reportable Conduct	What it means
Significant emotional or psychological harm	<p>Emotional or psychological harm means harm to a child's:</p> <ul style="list-style-type: none"> <li>• wellbeing</li> <li>• development</li> <li>• or both.</li> </ul> <p>Significant means the harm is more than trivial. It is also important to know that something doesn't have to have a permanent impact or effect to be considered significant.</p> <p>Examples of significant emotional or psychological harm include:</p> <ul style="list-style-type: none"> <li>• direct and indirect exposure to domestic and family violence</li> <li>• verbal abuse, such as telling a child they are worthless</li> <li>• humiliating a child in front of their peers.</li> </ul>
Significant neglect	<p>Neglect of a child means the deliberate or reckless failure to meet one or more of that child's basic needs.</p> <p>Significant means the neglect is more than trivial or insignificant, but is not required to be deemed serious or to have a lasting permanent effect.</p> <p>There are several types of neglectful behaviour.</p> <p>These include</p> <ul style="list-style-type: none"> <li>• supervisory neglect: for example, leaving a child in a hot car in summer time</li> <li>• physical neglect: a child being extremely dirty and suffering a skin condition as a result of poor hygiene</li> <li>• educational neglect: preventing a child from attending school for no valid reason</li> <li>• emotional neglect: rejecting a child from a family, home, school or other situation for no valid reason.</li> </ul>