



CHILD SAFETY POLICY

SUMMARY

Child Safety and Wellbeing Policy

Summary description of Policy	A policy that outlines how the National Gallery manages the safety of children and young people in all aspects of its activities onsite, online and offsite.
Policy Status	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Revision of Existing Policy (previously version 1.0)
Approval Authority	National Gallery Council
Policy Steward	Child Safety Working Group Chair
Contract area	Assistant Director, Learning and Digital

APPROVALS

Position	Name	Endorsed/Approved	Date
Assistant Director	Heather Whitely Robertson	Yes, Endorsed	[07 November 2023]
Director	Dr Nick Mitzevich	Yes, Endorsed	December 2023
Council	Ryan Stokes	Yes, Approved	December 2023

VERSION CONTROL

Position	Name	Action	Date
COO	Ali Halpin	Edit : Council approved policy edited to remove operational and procedural level information to Child Safety Procedures. Key policy tenets unchanged.	April 2024

REFERENCES

Victorian Commission for Children and Young People (CCYP) – A Guide for Creating a Child Safe Organisation
National Society for the Protection of Cruelty to Children (NSPCC)
SNAICC - Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations
Family Law Act 1975 (Cth) – Definition of Exposure to Family Violence

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1. PURPOSE

This policy outlines the National Gallery of Australia's (the National Gallery's) commitment to the safety and wellbeing of children and young people.

All children and young people have the right to feel and be safe and be protected from all forms of child abuse and neglect.

The National Gallery aims to create and maintain an inclusive, child-safe environment that is understood, endorsed, put into action and adhered to by everyone.

The National Gallery:

- has a zero-tolerance policy to child abuse and neglect in any form;
- is committed to safeguarding and promoting the welfare of children and young people by providing a safe, inclusive and culturally safe environment; and
- ensures that relevant persons are educated and informed of their responsibilities to protect and look after children.

The National Gallery acknowledges that abuse, harm and neglect to children and young people may come from:

- parents/caregivers
- guardians or supervisors
- people engaged by the Gallery (Officials)
- members of the public
- other children or young people.

This Policy is part of the National Gallery's proactive and preventative approach to upholding its commitment to the safety, wellbeing, participation and empowerment of children accessing the Gallery's programs, services and facilities;

2. CHILD SAFE OBLIGATIONS

All National Gallery Officials must :

- treat all children and young people with respect;
- prioritise the safety and inclusion of children and young people
- report any allegation, disclosure or concern relating to child safety, including prohibited conduct;
- comply with the relevant legislation that relates to the safety and wellbeing of children and young people, include the National Gallery Code of Conduct.
- comply with the Child Safe Guidelines and Procedures including :
 - Keeping children safe onsite

- Keeping children safe online
- Managing noncompliance with Terms and Conditions of entry
- Recruitment and onboarding
- Working with external contractors
- Classifying Works of Art and Exhibitions
- Managing feedback and complaints

All National Gallery Officials must not engage in any prohibited conduct, including:

- child abuse in any form;
- harmful behaviours towards a child or young person, such as:
- threatening or humiliating a child or young person;
- disciplinary action that involves physical punishment or any form of conduct that could be considered degrading, cruel, frightening or humiliating; and
- use of language that is inappropriate, harassing, humiliating or culturally inappropriate;
- inappropriate 1:1 contact with children that is not part of role or team;
- sexual behaviours toward, or in the presence of, a child or young person;
- bullying, discrimination, harassment, victimisation or vilification of a child or young person;
- taking inappropriate photos or images of a child or young person;
- use of any National Gallery owned technology, or child-related information held by the Gallery, to exploit or harass a child or young person or for any means other than why it was collected;
- requesting or inferring that a child or young person keep any communication secret from their parent, carer or other persons bound by this Policy; and
- supplying alcohol or drugs to a child or young person.

3. SCOPE

This policy applies to the following people, referred throughout as **Officials**: staff, volunteers, contractors, students on placement, artists in residence, Council and Foundation Board members.

All parties must ensure the safety and wellbeing of children and young people in all aspects of the National Gallery's activities onsite, offsite and online.

Protecting children is everybody's business. Every National Gallery Official has a role to play in keeping children safe.

4. FRAMEWORK

The National Gallery Child Safety Policy aligns to the Commonwealth Child Safe Framework that sets minimum standards for Commonwealth entities to create and maintain behaviours and practices that are safe for children.

The National Gallery has also adopted the ten National Principles for Child Safe Organisations that have been endorsed by all Commonwealth, state and territory governments.

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

This policy forms part of the [National Gallery's Child Safety Framework](#).

5. LEGISLATIVE FRAMEWORK

International Conventions

[United Nations Convention on the Rights of the Child \(UNCRC, 1989\)](#)

Commonwealth legislation

[Classification Act 1995 \(Cth\)](#)

[Public Governance, Performance and Accountability Act 2013 \(Cth\)](#)

[Privacy Act 1988 \(Cth\)](#)

6. BREACHES

Any report of non-compliance or breach of the Child Safety Policy, Code of Conduct or related policies and procedures will result in a formal investigation. If a non-compliance or breach is confirmed through the disciplinary process, action may include termination of employment or engagement.

7. POLICY PRINCIPLES

a. PRINCIPLE 1: Governance, leadership and culture

The National Gallery believes that a child safe culture is led and modelled by our governance and leadership groups and extends to all those with whom we come into contact.

The Child Safety Working Group is Chaired by a member of the Senior Management Group (SMG) who is accountable for the delivery of this Policy. The Chair provides regular updates to SMG following each meeting.

The Child Safe Working Group Child Safety provides a forum for child safety issues to be raised and promotes the National Gallery's Child Safety policy and framework. The Child Safety Working Group includes key representatives from teams across the Gallery who work directly with or around children, and supported by the Senior Management Group.

b. PRINCIPLE 2 – Participation and empowerment of children and young people

The National Gallery understands that children and young people are more likely to speak up about concerns if they know that their views are valued, and welcomed by, an organisation.

A child friendly version of this policy will be made available to children and young people. The National Gallery Child Safety Guidelines outlines how the Gallery considers child safety onsite, online, offside and in relation to works of art and exhibitions.

c. PRINCIPLE 3 – Families and Communities

Our commitment to child safety, along with relevant policies, procedures and information will be available online for all internal and external stakeholders and partners to access.

The National Gallery is dedicated to sharing art and creating cultural experiences that expand minds, provoke ideas and ignite imaginations. We acknowledge that children and young people need to be protected from material likely to harm or disturb them.

While most of the National Gallery's artistic content is not subject to classification under the [Classification Act \(1995\)](#), we may refer to the classifiable elements and impact measurements identified in the Act as a guide to understand community standards of material.

Viewer advice and other treatments support families and communities to determine how their child/young person participates with potentially sensitive content on display without impacting presentation of works of art per original artist intent.

The National Gallery Child Safety Guidelines outlines and provides further guidance about how the Gallery considers child safety onsite, online, offside and in relation to works of art and exhibitions, and our terms of entry.

d. PRINCIPLE 4 – Equity and Diversity

We acknowledge the needs of children and young people from diverse backgrounds, including those:

- living with disability (refer Disability Inclusion Action Plan)
- who identify as Lesbian, Gay, Bisexual, Transgender, Queer (or questioning), Intersex, Asexual or Other (LGBTQI+)
- living away from home
- who are First Nations people
- who are culturally and linguistically diverse.

We will provide children and young people with access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.

The National Gallery upholds the rights of children and young people to express their culture, celebrate diversity and appreciate the strengths of cultures. Our activities, services and programs will provide environments that are inclusive, sensitive and friendly.

The National Gallery will not tolerate any form of racism and will ensure any examples of such are identified and appropriately addressed. More information is found on [Keeping our kids safe: Cultural Safety](#) and the National Principles for Child Safe Organisations.

The National Gallery Child Safety Guidelines outlines and provides further guidance about how the Gallery considers child safety onsite, online, offside and in relation to works of art and exhibitions, and our terms of entry.

e. PRINCIPLE 5: Recruitment, Screening and Induction

The National Gallery seeks to recruit Officials that are safe to work with children and young people and are aligned to our work in creating child safe and child friendly environments. Robust

processes will be applied to the recruitment process, and those responsible for recruitment will be adequately skilled and supported to do so.

Officials will be selected as being suitable via thorough interviewing and reference checking processes (including child safety elements) and other screening methods. Officials undergo a police check ahead of commencing work onsite. Those who work in roles engaging with children and young people are required to have a Working with Vulnerable People Check.

The National Gallery Child Safety Guidelines on Recruitment and Onboarding provides further guidance.

All agreements between the National Gallery and third-party providers (who will be working directly with or around children and young people) must include a relevant clause outlining requirements for compliance with Child Safety. The National Gallery Child Safety Guidelines on External contractors provides further guidance.

f. PRINCIPLE 6 – Child focused complaints process

All complaints will be treated seriously and be responded to accordingly and with the best interests of children and young people as the priority. The National Gallery commits to responding to such allegations in a sensitive, timely and effective manner.

The Gallery is committed to protecting the rights of children and young people and treating all parties with respect.

The Gallery will be flexible when dealing with complaints or concerns from children and their families, including providing communication support or making reasonable adjustments to the complaints process to ensure that diverse needs are accommodated.

The National Gallery is bound by the provisions of the Privacy Act 1988 (Cth) (Privacy Act), including the Australian Privacy Principles (APPs).

Complaints may be child-initiated or adult-initiated and the Gallery encourages people to raise concerns to address the needs and safety of children. Complaints and concerns may be raised informally or formally. Details on how complaints can be made is detailed in the National Gallery's Service Charter and Child Safety Reporting and Complaints Procedure.

Any responses to complaints or feedback will be conducted in accordance with the National Gallery's Service Charter and Child Safety Reporting and Complaints Procedure. The process will be managed in accordance with the National Gallery's policies on Privacy and the Code of Conduct.

The Gallery is committed to responding to current and historical Child Abuse allegations. The Gallery will cooperate with external investigations regarding current and historic complaints.

g. PRINCIPLE 7 – Training and support

Officials will be adequately trained and supported to complete their roles in a child safe organisation, implement the child safe principles, and support the rights of children and young people.

There are two categories of National Gallery Officials : those that work directly with children and those that work around children. The National Gallery will provide training for both cohorts.

	Officials working directly with children	Officials working around children
<i>Induction</i>	Child Safety content covered in the mandatory WHS eLearning course (LearnHub) OR covered in induction presentation using slide deck (if no access to LearnHub)	Child Safety content covered in the mandatory WHS eLearning course (LearnHub)
<i>Annual</i>	Annual child safety presentation to Officials (scenario based)	Officials encouraged to do the additional child safety eLearning course (available on LearnHub) once a year
		Annual refreshers required via mandatory WHS eLearning course

h. PRINCIPLE 8 – Risk Management

The National Gallery will undertake an Annual Risk Assessment in relation to child safety to identify the level of responsibility for and contact with children and young people, evaluate the risk of harm or abuse, and put in place appropriate strategies to manage identified risks.

Further risk assessments will be conducted as directed by SMG and/or following a change in Gallery programs and operations.

All National Gallery Officials must consider child safe risk management in the course of their duties and ensure child safety is considered when developing project and programs. Risks will be identified, assessed and managed in alignment to the National Gallery’s Risk Management Framework and Policy.

The National Gallery will publish an Annual Statement of Compliance in accordance with the Commonwealth Child Safe Framework by 31 October annually.

An issues register will be maintained to record and track any risks realised or issues that emerge to identify any concerning trends and better mitigations. This issues register will be maintained by the Working Group Chair and secretariat and adhere to provisions of the *Privacy Act 1988* (Cth) (Privacy Act), including the Australian Privacy Principles (APPs).

i. PRINCIPLE 9 – Continuous Improvement

The National Gallery aims to continuously improve our child safe and child friendly environments and will actively respond to feedback from stakeholders, including requesting feedback from families, children and communities when appropriate.

The National Gallery will also use feedback through the Child Safety Working Group meetings, reviewing the risk assessment and issues register and outcomes of reports or complaints to drive improvements.

j. PRINCIPLE 10 – Policies and Procedures

The Child Safety Policy will be accessible online to all Officials, children, young people, families and the broader community, as relevant. All Officials will demonstrate practices and behaviours that support our policies, guidelines and procedures, and our leaders will role model compliance with this Policy.

The National Gallery commits to reviewing the Child Safety Policy at a minimum, every three years or as required by legislation. Review of the Policy will include consultation with experts and key stakeholders, including children and young people. Changes to any child safety related policy, code of conduct or procedure will be communicated to all stakeholders.

8. GUIDELINES AND PROCEDURES

The National Gallery has established several Guidelines and Procedures which provide Gallery staff with specific guidelines relevant to the work of their area and level of interaction with and access to children and young people. These Guidelines and Procedures include:

1. *Keeping children safe onsite* details the Gallery's practices relating to protecting the safety of children onsite at the National Gallery.
2. *Keeping children safe online* details the Gallery's practices relating to protecting the safety of children accessing the National Gallery's online content.
3. *Managing Non-compliance with T&C of entry* details the Gallery's practices relating to engaging with a visitor if they do not comply with the Gallery's 'Conditions of Entry' (as listed on the [Gallery's website](#)) or displays any form of customer aggression, including physical, verbal or sexual abuse or harassment. It outlines expectations and accountabilities, with clearly defined specific protocols, for Gallery staff to follow when interacting with visitors in these situations.
4. *Child safe recruitment and onboarding (staff and volunteers) guideline* details the Gallery's practices relating to the engagement of staff and volunteers including

individual requirements to hold WWVPC, and the completion of referee and police checks. Also details the training and onboarding requirements of staff and volunteers subject to the individuals' level of contact with and access to children and their personal details.

5. *Child safety incident and complaints managing and reporting procedure* details the Gallery's practices for managing child safety incidents and complaints. Also details the Gallery's reporting and record keeping requirements for such incidents, including any mandatory reporting requirements, and managing historical allegations.
6. *Child safe external contractors guideline* details the Gallery's practices for engaging external contractors (including vendors) including individual requirements to hold WWVPC, and the completion of referee and police checks.
7. *Child safe classification of Works of Art (WoA) and Exhibitions* details the Gallery's practices for the classification of WoA and Exhibitions to protect the safety of child visitors and artists/subjects. Details the signage requirements for WoA and Exhibitions classified as exhibiting sensitive themes.

1. ROLES, RESPONSIBILITIES AND AUTHORITIES

Roles	Responsibilities & Authorities
Council	<ul style="list-style-type: none"> • Act as the Accountable Authority of the National Gallery. • Approve the Child Safe Policy. • Approve the National Gallery's annual statement of compliance with the Commonwealth Child Safe Framework.
Chair of Child Safe Working Group	<ul style="list-style-type: none"> • As a member of Senior Management Group, responsible for promoting the importance of child safety and how it applies to all Officials. • The Chair will: <ul style="list-style-type: none"> • Chair the Child Safety Committee • Oversee the implementation and review of the Child Safe Policy; • Oversee the annual Child Safe Risk Assessment • Support and advise on child safety issues • Raise awareness of child safety • Annually report to the Board on Child Safety matters (aligned to timing of annual compliance statement) • Promote training for child safety. • Advocate for child safe practices • Monitor child safety incidents and complaints register; ensure processes are appropriately followed when concerns of child abuse, harm and neglect arise.
Child Safe Working Group	<ul style="list-style-type: none"> • Monitor and assess the National Gallery's compliance with the Commonwealth Child Safe Framework, including the National Principles for Child Safe Organisations

	<ul style="list-style-type: none"> • Discuss ways the National Gallery can improve to better align to the Commonwealth Child Safety Framework • Identify risks, issues and mitigation strategies and controls • Encourage a child-focused, transparent and safe organisational culture within their functional remit • Review key National Gallery policies, guidelines and procedures to take into consideration current child safety legislative requirements • Champion child safety throughout the organisation, including through awareness raising activities.
Leadership and Management (Senior Management Group and Department Heads)	<ul style="list-style-type: none"> • Prioritise child safe practices at an operational level, including ensuring child safety is embedded in the design of any program, policy or service that impacts upon children. • Promote understanding of this Policy and associated guidelines in the course of team duties • Provide immediate feedback and act accordingly if a person bound by this Policy may not be meeting their requirements • Promote and monitor completion of required and mandatory training as outlined in this Policy • Ensuring National Gallery of Australia Officials are suitable, skilled and aware of their roles and responsibilities • Advocate for child safe practice both within the National Gallery and with partner organisations • Ensure organisational compliance to legislative requirements and key frameworks • Recognise, appropriately respond to and report concerns of child safety including abuse, harm and neglect. • Role model an open and aware child safe and child friendly culture.
Officials	<ul style="list-style-type: none"> • Comply with the Code of Conduct • Adhere to the Child Safety Policy and related policies and procedures, • Promote child safe practice across the organisation • Engage in child safety training and mandatory requirements • Maintain WWVP if required for the role • Identify, mitigate and manage risks to children and young people at an operational and functional level, and by applying the Policy, guidelines and procedures. • As relevant to the scope of the role (and with leadership and management oversight), engage children and young people are about things that impact or affect them at the National Gallery • Recognise, appropriately respond to and report concerns of child safety including abuse, harm and neglect.

Human Resources	<ul style="list-style-type: none"> • Ensure child safety measures are built into the recruitment and screening process for all employees, including Ongoing, Fixed-Term and Casual. • Maintain a WWVP register for all employees. • Help develop and maintain child safety training resources
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2. DEFINITIONS

Term	Definition
Aboriginal and/or Torres Strait Islander	A person who is of Aboriginal and/or Torres Strait descent, identifies as Aboriginal and/or Torres Strait Islander and is accepted as Aboriginal and/or Torres Strait Islander by an Aboriginal and/or Torres Strait Islander community.
Abuse	Abuse is an act (s) or omission which endangers a child's health, wellbeing and/or development. Refer to Appendix A for definitions of all types of abuse.
Accountable Authority	The National Gallery Council.
Child	A person aged between 0-11years.
Child Safe	An environment where children and young people's safety and wellbeing is at the centre of values and actions and where there is an emphasis on genuine engagement with and valuing of children and young people. Conditions reduce the likelihood of harm to children and young people, increase the likelihood of identifying any harm and responds to any concerns, disclosures, allegations or suspicions of harm.
Child Friendly	Behaviour, conduct, practice, process, attitude, environment and / or treatment that is humane, considerate and in the best interest of children and young people.
Child Protection	Statutory authority responsible for child protection, and all measures taken to minimise the risk of child abuse.
Code of Conduct	A document which specifies behaviours expected of all National Gallery Officials.
Consultant	A person who provides expert advice professionally.

Contractor	A person or organisation that undertakes a contract with the National Gallery to provide labour, service or job.
Cultural safety	The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity. It is an environment which is socially and emotionally safe, as well as physically safe for children. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity.
Disclosure	A child or young person telling someone (through words, drawings or actions) that they feel unsafe or have been harmed.
Leaders/Leadership	Leaders or leadership refers to any employee or volunteer who holds management responsibilities.
Officials	Staff, volunteers, contractors, consultants, students on placement, donors, artists in residence, Council and Foundation Board members.
Responsible person	A person over the age of 18 years.
Staff	All ongoing and non-ongoing Senior Executive Services (SES) and non-SES employees of all classifications
Visitor	A person who is a member of the public, visiting a National Gallery site.
Volunteer	An unpaid member of the National Gallery supporting program delivery or operations.

3. APPENDIX A – Forms of Abuse

The National Gallery acknowledges that abuse of a child or young person can take many forms. The following types are identified below to support recognition.

Sexual abuse

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. It includes a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child. Sexual offences may involve contact, like touching or penetration. They also include acts that do not involve physical contact like 'flashing', possessing child abuse material or grooming.

Sexual misconduct

Sexual misconduct includes a variety of sexualised behaviours against, with or in the presence of a child. These behaviours may not meet the threshold for a sexual offence but can still pose a significant risk to children. Behaviours could include inappropriate conversations of a sexual nature or comments that express a desire to act in a sexual manner.

Grooming

Grooming behaviour can involve the use of a variety of manipulative and controlling techniques used to build trust or normalise sexually harmful behaviour. Grooming is often described as the 'preparation' phase of child sexual abuse, undertaken by the perpetrator to gain the trust of a child, and to establish secrecy and silence. Perpetrators may groom to gain access to a child, initiate and maintain sexual abuse of that child, and to conceal the sexual abuse.

Harmful Sexual Behaviour

Harmful sexual behaviour (HSB) is developmentally inappropriate sexual behaviour which is displayed by children and young people and which may be harmful or abusive. It can be displayed towards younger children, peers, older children or adults. It is harmful to the children and young people who display it, as well as those it is directed towards.

Physical abuse

Physical violence can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm. Physical violence can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes the use of words or gestures that cause a child to believe that they are about to suffer physical violence.

Emotional or psychological abuse

Emotional and psychological abuse may arise in circumstances that involve persistent verbal abuse, coercive or manipulative behaviour, hostility towards a child, humiliation, belittling or scapegoating, conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger.

Cultural Abuse

Cultural abuse can cause emotional and psychological harm. Cultural abuse occurs when the culture of a people is ignored, denigrated or intentionally attacked. It can be overt or covert, for example, a lack of cultural sensitivity or absence of positive images about another culture. Cultural abuse is especially harmful for children.

Exposure to Family Violence

Exposure to violent, threatening or other behaviour by a person that coerces or controls a member of the person's family (the family member), or causes the family member to be fearful. A child is exposed to violence if that child sees or hears family violence or otherwise experiences the effects of family violence.

Neglect

Neglect is a failure to meet the basic needs of a child (such as their wellbeing and safety). Neglect can arise as a result of a single event or a combination of different events. Some neglectful behaviours that can occur in organisations include:

- supervisory neglect (failure to appropriately exercise adequate supervision or control of a child)
- physical neglect (failure to meet physical needs including adequate food, clothing, shelter or physical hygiene)
- educational neglect (failure to ensure that a child's formal educational needs are being met)
- emotional neglect (failure to provide adequate nurturing, encouragement and support to a child).