



Melbourne Debating Academy Child Safety Policy

Effective as of 29 January 2024



Definitions

the “Academy”/the “MDA”/the “Melbourne Debating Academy” means Melbourne Debating Academy Pty Ltd (ABN: 12 663 255 839).

“Policy” means this policy, the *MDA Child Safety Policy*.

“Staff”/ “MDA Staff”/ “Academy Staff” means any person who is employed by Melbourne Debating Academy Pty Ltd (ABN: 12 663 255 839).

“Managing Director” means the Managing Director of Melbourne Debating Academy Pty Ltd (ABN: 12 663 255 839).

Scope

The Melbourne Debating Academy takes its legal duty to ensure the safety of all children involved very seriously. The Academy believes in its responsibility to make children feel safe and supported through our programs, and this policy aims to implement that throughout our operations, activities, and events.

All Academy staff and adults with a duty of care over children who fall under the operation of this policy are bound by it at all times.



Legal Framework

For the purposes of the *Child Wellbeing and Safety Act 2005* (Vic), the *Worker Screening Act 2020* (Vic), and the *Corporations Act 2001* (Cth), the Academy is a private company limited by shares.

Arising out of the *Child Wellbeing and Safety Act 2005* (Vic), the Academy has responsibilities to implement measures that protect children. These responsibilities include:

- any measures necessary to exact compliance with the aforementioned act, the Child Safety Standards 2021 (Vic), and the *Worker Screening Act 2020* (Vic);
- mandatory reporting of suspected or known child abuse, misconduct and/or exploitation;
- compliance with Working with Children Check requirements;
- the creation of policies like this one to establish frameworks for managing incidents.

The Academy is committed to assessing the changing laws and regulations surrounding Child Safety and will ensure compliance.

Responsibility and Compliance

This Child Safety Policy is a fundamental document adopted by the Melbourne Debating Academy, applying universally to all its events, activities, and operations. It sets the standard for creating a secure environment for children participating in MDA programs.

Staff Responsibility

It is a core responsibility of the Academy to disseminate and ensure the understanding of this policy amongst all Staff members. Before engaging with children or participating in any capacity with the Academy or its programs, it is mandatory for Staff to be fully informed about and in agreement with this Policy. This commitment forms a foundational element of the Academy's enduring commitment to fulfil its Child Safety obligations.



Ongoing Compliance

Every member of MDA Staff, as well as program participants, share the collective responsibility to actively promote the safety and inclusion of children. The unwavering commitment to comply with this Policy in every facet of the Academy's operation is vital. Upholding the principles outlined herein is not just a duty but a shared commitment to ensuring a secure and nurturing environment for all children associated with the Melbourne Debating Academy.

Staff Recruitment and Training

Commitment to Child Safety

The Melbourne Debating Academy steadfastly commits to ensuring that all Staff members entrusted with interactions with children fully understand their obligations under relevant Child Safety laws and regulations. Staff must maintain appropriate standards of behaviour around children, aligning with the Academy's stringent policies on child safety.

Policy Compliance and Code of Conduct

Each MDA Staff member is expected to unequivocally comply with this policy and adhere to the Academy's MDA Code of Conduct: Child Safety. To reinforce this commitment, the MDA mandates the inclusion of a provision in all employment contracts, compelling staff to adhere to this Policy and requiring them to obtain or hold a Working with Children Check.

Onboarding and Training Commitment

The MDA places paramount importance on Staff onboarding and training. It ensures that all Staff members receive comprehensive training, facilitating an in-depth understanding of this Policy. This includes imparting knowledge on the specific obligations outlined in this policy and providing specialised training on recognising and addressing situations involving vulnerable children. Staff members are equipped with the necessary tools to fulfil their duty to report any concerns promptly.



Obligatory Reading and Agreement

Staff members, including Adjudicators and Regional Instructors, are required to diligently read, agree to, and comply with this Policy and the MDA Code of Conduct: Child Safety. This underscores the Academy's collective commitment to fostering a safe environment for children involved in its programs. It serves as a foundational requirement for all Staff members to contribute actively to the creation of a secure and nurturing space within the Melbourne Debating Academy.

Working with Children Check

Compliance with the Worker Screening Act 2020 (Vic)

In accordance with the *Worker Screening Act 2020 (Vic)*, MDA Staff who work directly with children under 18 years of age must possess a valid Working with Children Check, unless an exemption applies under the aforementioned act.

Recognition of Teaching Profession Exemption

Acknowledging the intersection of its operations with the teaching profession, the Academy acknowledges the exemption available for teachers registered with the Victorian Institute of Teaching. Such teachers can present evidence of their registration as an alternative to the Working with Children Check, without prejudice to any other exemptions provided by the aforementioned act.

Uniformity and Inclusivity

All Staff members, including those under 18 years of age, are required to obtain and hold a Working with Children Check. This inclusive approach ensures a uniform standard of child safety across all Staff within the Melbourne Debating Academy.

Academy Mandate

To provide clarity and consistency, the Academy unequivocally mandates that all its Staff, regardless of age, role or responsibility, possess and maintain a valid Working with Children Check. This requirement underscores the Academy's unwavering commitment to upholding the highest standards of Child Safety in every facet of its operation. Only paid employees shall be required to obtain an employee-class check. Unpaid volunteers may use a volunteer class Check.



Register of Working with Children Checks

Mandatory Compliance

In alignment with this policy, the Academy mandates that all Staff acquire and maintain a valid Working with Children Check.

Maintenance of Register

The Academy commits to maintaining an updated register that records the Working with Children Checks of its Staff. Staff members are obligated to provide evidence of their Working with Children Check upon the Academy's request, including details such as denomination (volunteer or employee), number, expiry date, and document copies.

Data Collection and Privacy Protection

Adhering to the *Child Safety and Wellbeing Act 2005 (Vic)* and the *Worker Screening Act 2020 (Vic)*, the Academy will collect and store personal data of its Staff. This shall be done in the strictest accordance with the *Privacy and Data Protection Act 2014 (Vic)* and the *Privacy Act 1988 (Cth)*. This personal data encompasses, but is not limited to:

- legal names;
- mobile phone numbers;
- e-mail addresses;
- WWCC numbers;
- WWCC expiry dates;
- copies of WWCC documents;
- VIT numbers;
- VIT expiry dates; and
- copies of VIT documents.

Cooperation with Investigations

The Academy pledges to cooperate with any ongoing investigations conducted by government bodies/ authorities and will release Staff data in accordance with relevant legislation, including but not limited to, the *Privacy Act 1988 (Cth)* and the *Child Safety and Wellbeing Act 2005 (Vic)*, or any lawful request.



School Notification

Educational institutions hosting Academy Staff on their premises are advised that all Staff members hold a current Working with Children Check. Schools reserve the right to request Academy Staff present their Working with Children Check whilst on the premises, and Staff members are obliged to comply with such requests.

Data Disclosure to Schools or Authorities

Furthermore, the Academy commits to providing the legal name and WWCC details of any staff member upon request from a school or government body/ authority, ensuring transparency and collaboration with external entities involved in Child Safety.

Risk Management

Comprehensive Assessment and Mitigation

The Academy is committed to conducting thorough risk assessments and implementing effective risk management strategies for all its activities, events, and operations. The primary objective is to eliminate, whenever feasible, and minimise, when not, any identified risks.

Collaborative Approach

In pursuit of this commitment, the Academy reserves the right to engage in discussions with schools and clients as an integral part of the risk assessment and management process. This collaborative approach ensures a comprehensive understanding of potential risks and facilitates the development of targeted mitigation measures.

Regular Review and Updates

The Academy recognises the dynamic nature of risk and, therefore, commits to regularly reviewing its risk assessments. Updates will be made as necessary to align with evolving circumstances and to enhance the effectiveness of risk management measures. This proactive approach underscores the Academy's dedication to maintaining the highest standards of safety.



Response to Incidents or Complaints

In the event of a complaint or the Academy becoming aware of an incident, a thorough review of the existing risk assessments, risk management protocols, and relevant procedures will be conducted. This responsive measure ensures that the Academy continuously learns from experiences and refines its risk management strategies, fostering an environment of continuous improvement and adaptability.

Content Management and Safe Environment

Academy's Responsibility

The Academy acknowledges and embraces its responsibility to cultivate a safe environment for both program participants and its Staff members.

Oversight of Motion Selection

The MDA assumes the crucial responsibility of overseeing the selection of motions across its diverse range of competitions, programs, activities, and events. The Academy is unwavering in its commitment to crafting content that is not only suitable for school-aged children but also deliberately designed to foster inclusivity. The primary goal is to ensure that all students feel encouraged to engage fully and equally, without compromising the safety of the environment.

Content Appropriateness and Intentionality

The Academy is dedicated to creating content and motions that are not only age-appropriate but also intentionally designed to promote inclusivity. Every effort is made to cultivate an environment where all students, regardless of background, feel valued and able to participate without hesitation.

Consideration for Vulnerable Backgrounds

Staff and personnel involved in the preparation of motions and content are expected to be cognisant of and considerate towards the potential impact on students from vulnerable backgrounds. The selection of motions is approached with sensitivity, ensuring that they are crafted to facilitate equal participation and engagement in all MDA activities.

This commitment to responsible content management underscores the Academy's dedication to nurturing an environment that not only prioritises safety but also promotes inclusivity and active participation for all students.



Reporting Obligations

Under the *Child Wellbeing and Safety Act 2005 (Vic)*, all Academy Staff must report any allegations or suspicions of child abuse, exploitation, or mistreatment/misconduct that come to their attention. This obligation arises whenever an individual forms a reasonable belief that an incident has occurred.

Reportable incidents include, but are not limited to:

- a sexual offence committed against, with, or in the presence of, a child.
- a sexual misconduct, committed against, with, or in the presence of, a child.
- physical violence committed against, with, or in the presence of, a child.
- any behaviour that causes significant emotional or psychological harm to a child; and
- significant neglect of a child.

Staff that discover evidence to support a reasonable belief that a child is a victim of any of the mentioned reportable incidents, or indeed an incident not mentioned herein, **must** report it.

Academy Staff and other participants in MDA programs should report any allegations or suspicions of child abuse to the [MDA Office](#) or Regional Instructor, and where appropriate, immediately inform relevant authorities. The Academy will also liaise with schools and other relevant parties as required.

IF ACADEMY STAFF BELIEVE THAT A CHILD IS IN IMMEDIATE DANGER, THREAT OF IMMEDIATE DANGER, OR SOON WILL BECOME IN DANGER, THEY SHOULD CALL 000 BEFORE CONSULTING WITH THE ACADEMY.

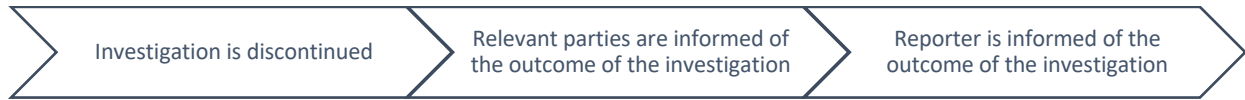
Below is a complete process flow for how reporting should be handled:



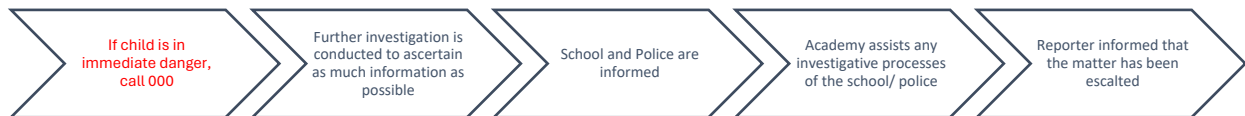
Following an investigation, there are three possible outcomes. The following processes outline the Academy’s response to these three possible outcomes.



No evidence found



Evidence of misconduct found



Uncertain of the existence or occurrence of misconduct



This process must be handled confidentially and with full consideration of the potential impact the content of a report has on a child or young adult in a vulnerable or susceptible position.

Disclosure is made as required by law and may also be made to a school, parent(s)/ guardian(s) or other relevant bodies/ authorities to facilitate the protection of the child or children. Except when being accessed by Academy Staff directly responsible for investigating any suspicions or allegations of child abuse or exploitation, the personal information of the child or young adult should be redacted to avoid the unnecessary dissemination of the child or young adult's circumstances and/ or details.

The best interests of the child or young adult at issue should always be central to any action the Academy and/ or its Staff takes.



Managing complaints

All concerns and/ or complaints raised by a child or young adult to a member of the Academy's Staff must be taken seriously and handled in the best interests of the child or young adult. The Academy should take appropriate care when involving parent(s)/ guardian(s) and the school/ school representative(s) of the child/ young adult to ensure that no person about whom a complaint has been made is involved in the managing of the complaint.

The Office must be informed at the earliest opportunity and the complaint addressed quickly.

Fair and Transparent Procedure

The Academy is committed to ensuring a fair and transparent process for handling complaints against its Staff. The Academy recognises the importance of addressing concerns promptly and impartially, promoting an environment of accountability and integrity.

The Academy will ensure the rights of its employees are protected per the *Fair Work Act 2009* (Cth) and all other relevant labour laws throughout this process.

Reporting Mechanism

Any individual with a complaint against Academy Staff is encouraged to report the concern through established channels. The Academy provides accessible and confidential reporting mechanisms to facilitate the submission of complaints.

Complaints about Academy staff should be raised with the [Managing Director](#) or [Director of Training](#).

Initial Assessment

Upon receiving a complaint, the Academy will conduct an initial assessment to determine the nature and severity of the concern. This preliminary evaluation is crucial for determining the appropriate course of action.

Where a complaint is raised against a member of the Academy's Staff, the MDA reserves the right to suspend the Staff member indefinitely until such time that a thorough investigation has occurred.



Confidentiality

The Academy is dedicated to maintaining the confidentiality of all parties involved to the extent permitted by law. This commitment ensures that the privacy and reputation of individuals are safeguarded throughout the complaint resolution process.

Impartial Investigation

A fair and impartial investigation will be initiated following the initial assessment. The Academy may appoint an independent investigator if necessary, ensuring objectivity and neutrality in the review process. Otherwise, investigations may be carried out in the regular manner prescribed by the Academy.

Opportunity for Response

Staff members subject to a complaint will be afforded a fair opportunity to respond to the allegations. This ensures that all perspectives are considered, and the principles of natural justice are upheld.

Timely Resolution

The Academy is committed to resolving complaints promptly, recognising the importance of swift action to address concerns effectively. Regular updates will be provided to all parties involved throughout the resolution process to the extent that this does not compromise the investigation or an adjacent investigation by a third party.

Appeal Mechanism

A mechanism for appeal will be available for both the complainant and the accused Staff member if they are dissatisfied with the resolution. This ensures that individuals have the opportunity for further review in cases where they believe the process has been unfair.

Decisions of the Managing Director are final and not subject to appeal.

Educational Measures

In cases where a complaint highlights areas for improvement in staff behaviour or practices, the Academy may implement educational measures to facilitate professional growth and development.



Continuous Improvement

The Academy is committed to learning from each complaint and continuously improving its policies and procedures to create a safer and more supportive environment for all involved parties. Feedback from the resolution process will be utilised to enhance the Academy's approach to handling future complaints.

Privacy

Commitment to Privacy Responsibilities

The Academy holds a profound commitment to its responsibilities under the *Privacy Act 1988* (Cth) and the *Privacy and Data Protection Act 2014* (Vic). The protection and respectful handling of personal information is paramount.

Obligations Compliance

The Academy rigorously adheres to all obligations outlined in these acts concerning the storage and utilisation of data belonging to its Staff, clients, and debaters. The principles of transparency, confidentiality, and data security are at the forefront of the Academy's privacy practices.

Third-Party Data Sharing

In line with our privacy standards, the Academy may share data with third parties from time to time. This sharing is exclusively for the facilitation and promotion of Academy events, programs, activities, and operations. Such disclosures are conducted within the bounds of relevant legal constraints and ethical considerations.

Secure Data Storage

The Academy takes comprehensive measures mandated by the aforementioned acts to ensure the secure storage of data. Robust security protocols are implemented to safeguard against unauthorised access or release of data to personnel or third parties, except where required or explicitly permitted by law.

This commitment to privacy underscores the Academy's dedication to maintaining the trust and confidence of its stakeholders by upholding the highest standards of data protection and ethical use.



Policy Review

Regular Review Schedule

The Academy is committed to maintaining the effectiveness and relevance of this Policy. As part of our ongoing commitment to Child Safety, the Academy will conduct a comprehensive review of this Policy every three years. This regular review aims to ensure continual alignment with both the Academy's legal obligations and evolving community values.

Expedited Review in Case of Incident

In the event of a Child Safety incident, the Academy acknowledges the utmost importance of a swift and thorough response. Consequently, this Policy, along with its implementation, will be subject to an immediate and expedited review. The objective is to assess the incident, identify opportunities for improvement, and promptly implement any necessary updates to reinforce the Academy's commitment to Child Safety and prevent future incidents.

These dual review mechanisms underscore the Academy's dedication to maintaining a proactive and vigilant approach to Child Safety, both in adherence to legal requirements and as a reflection of its ongoing commitment to community values and the safety of our participants.

Effective Date

This Child Safety Policy shall take effect as of Monday 29 January 2024.

Sebastian Nugara

Founder, Managing Director | Melbourne Debating Academy

Monday 29 January 2024



Contacts

Policy Implementation

For inquiries and information related to the implementation of this Policy across all programs, events, activities, and operations of the Academy, the Office serves as your primary point of contact. Please reach out to the Office via e-mail at office@melbournedebatingacademy.com.au for any questions or concerns pertaining to the application of this Policy.

General Inquiries and Direct Contact

For matters related to the overall functioning and management of the Melbourne Debating Academy, the Managing Director is your direct contact. The Managing Director can be reached directly via email at director@melbournedebatingacademy.com.au. Feel free to contact the Managing Director for broader organisational inquiries or if you require specific information related to the Academy as a whole.

These designated contacts are here to assist and ensure that all stakeholders have access to the necessary information and support regarding the implementation and broader aspects of the Melbourne Debating Academy.

References

Legislative references

Corporations Act 2001 (Cth)

Child Wellbeing and Safety Act 2005 (Vic)

Fair Work Act 2009 (Cth)

Privacy Act 1988 (Cth)

Privacy and Data Protection Act 2014 (Vic)

Worker Screening Act 2020 (Vic)

Non-legislative references

Child Safety Standards 2021 (Vic)



Annexures

Annexure I – *MDA Code of Conduct: Child Safety*

Annexure II – *MDA Statement of Child Safety Commitment*