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Fly Factory

Staff Policies

&

Code of Conduct

Table of Contents

Sexual Harassment.....	4
Definition.....	4
Examples of Sexual Harassment	4
Handling Complaints	4
Policy	5
Confidentiality.....	5
Lift Sharing	5
Physical Contact	5
Out of Hours Contact	6
Summary	6
Overview and principles.....	6
Compliance	7
Identifying inappropriate use.....	7
Definitions.....	7
Social media	7
Employees.....	7
Statement of policy	8
Professional use of social media	8
Moderation of FF produced social media	8
Personal use of social media	8
Reasonable and unreasonable personal use	10
Guidance for navigating legal issues.....	10
Privacy, confidentiality and information security.....	10
Copyright.....	10
Harassment and bullying	10
Defamation	11
Offensive or obscene material.....	11
Contempt of court	11
Discipline	11
Grievance Procedures.....	11
Cultural Sensitivity	11
Language	11
Appearance	12
Specific Reporting Guidelines for Child’s Disclosure of child abuse	12
Specific Reporting Guidelines for Observations or Suspicions	13
Specific Reporting Guidelines for Complaints or Allegations made:	13
Possible outcomes include:.....	13

Disciplinary Procedures.....	14
Policy Status	15
Modification and Review	15
Agreement & Signature	15

Child Protection Policy

Fly Factory (FF) is committed to the safety and well being of all children accessing our services. FF supports the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. FF also supports the rights and well being of our staff and volunteers and encourage their active participation in building and maintaining a safe environment for all participants. FF is committed to ensuring all our members, instructors, staff, volunteers and performers are kept safe at all times. It is a requirement of employment that the FF child protection Policy is strictly adhered to at all times.

Flying Trapeze and Circus Arts is a wonderful activity that can enhance the lives of children and young people. We welcome our members input. If you have any ideas on how we can better protect our members please do not hesitate to let our Senior Management know either via email info@flyfactory.com.au or place a note into the 'suggestion box' or call us on 9877-7727.

We have the following strategies in place:

- All chaperones, instructors, staff and management are required to have an up to date 'working with children check'.
- We have Code of Ethics for instructors, parents, staff, volunteers, performers and administrators. Any breach of these is treated very seriously and can have serious consequences (including being asked to leave FF or, when required by law, reporting to the appropriate authorities). See Codes of Conduct.
- We have a grievance procedure to deal with any breaches of the above (see attached).
- FF Senior management review our Child Protection policies on an annual basis.

Sexual Harassment

Definition

"Making an unwelcome sexual advance or request for sexual favours or engaging in any other unwelcome acts of a sexual nature in circumstances in which a reasonable person would anticipate that the other person would be offended, humiliated or intimidated.

Conduct of a sexual nature includes subjecting a person to any act of physical intimacy, making any gesture, action or comment of a sexual nature."

Examples of Sexual Harassment

Apart from the more obvious examples of sexual harassment such as touching and physical assault, listed below are some of the less common examples;

- Selecting an offensive computer screen saver;
- Sending emails containing or attaching material of a pornographic or sexual nature;
- Standing very close to a person or deliberately brushing against a person;

Handling Complaints

All reports of sexual harassment will be treated seriously, confidentially and sympathetically.

Reports can be made verbally however for formal investigations to proceed reports must be made in writing.

Fly Factory Senior Management will have the authority to investigate any complaint.

Policy

Any person accused of sexually harassing, or attempting to sexually harass any person whilst they are instructing at Fly Factory will be investigated by management.

If the allegations are proven, the matter will be referred to police if required and the person will be dismissed from their employment with Fly Factory.

Confidentiality

While it is important to maintain respect for the privacy of a child or young person and their family, FF staff and volunteers must be clear that all issues of concern – from a problem raised, to a disclosure of abuse – should be reported in an appropriate and timely manner to an approved supervisor/manager. It is the responsibility of the staff member and organization in partnership to maintain confidentiality on issues regarding the children (e.g. learning disability) or family (marriage breakdown) is experiencing. Equally, it is everyone's responsibility to take action on matters of significant concern (e.g. a child abuse issue) in a professional and prompt manner according to our organisational guidelines.

Lift Sharing

From time to time parents may ask a special favour from a Fly Factory instructor to assist with driving to or from a particular event, school or home. Coaches already dedicate a huge amount of their personal time to the sport so this should only occur in an emergency and as a last resort. FF requires that Senior management is notified about any lift arrangements involving instructors and students

Physical Contact

As stated in our code of ethics, "any physical contact with a young person should be appropriate and necessary for skill development or safety".

The topic of touching or physical contact can raise considerable concerns for child and youth orientated organizations. Appropriate physical contact whilst instructing circus skills is essential to children's well being, sense of self esteem and safe learning of circus skills. Circus is a art form that requires a great deal of appropriate spotting to assist students with performing skills safely, particularly when learning new skills. So it is important that children participating in this art form know the difference between improper and appropriate touching/contact.

The following guidelines have been recommended by Child Wise and are endorsed by Fly Factory:

- Touching should be in response to the need of the child not the need of the adult.
- Touching should only occur if the child feels comfortable – resistance from the child should be respected.
- Touching should avoid the breast, buttocks and groin whenever possible.
- Touching should be open and non secretive

- Touching or other physical contact should be governed by the age and developmental stage of the child. For example, sitting in an adults lap may be appropriate for a six year old but less so for a 12 year old, unless the adult is the child's parent

'Respect in Sport' gives the following advice on affection which Fly Factory endorses:

“Show genuine affection for your young athletes. By using appropriate “touching” like hand shakes, high fives, pats on the back, you are demonstrating affection and positive emotional displays rules. Of course, you need to be sensitive to different athletes, as some feel uncomfortable with physical affection. Always provide these forms of positive physical affection in public (in front of other athletes, parents, officials, etc)”.

Out of Hours Contact

Staff are discouraged from inviting child and/or adult students into their home without express permission from parents and where possible should include the presence of other children and adults. It is important that the parents are informed of all other people (adults & children) that will be present. It is understood that as is the nature of Performance Troupe that there may be Out of Hours contact between instructors and students for social gatherings such as BBQ's, etc. It is strongly encouraged that all such outings have the express permission or presence of students parents and where possible a second trusted adult in attendance. Either the Senior Management (Holly Shoar) must also be informed of all such activities in advance.

Digital Communication Policy

Summary

This policy provides guidance to employees of Fly Factory (FF) about engaging in social media and communicating via digital devices. All employees are responsible for being aware of the policy and understanding their responsibilities around using these technologies in their professional and personal capacity. It is FF policy that no FF staff communicates with any FF student under the age of 18 years via Facebook, Twitter, MySpace, MSN chat or any other form of online communication network with the exception of the FF official Facebook page.

All individual emails to FF students must be sent and received through Fly Factory's email address and parents must be cc'ed. Any texts sent to individual FF students under the age of 18 years must also be copied to their parents.

Overview and principles

Online communication and new media tools are important communication channels that provide Fly Factory with the opportunity of engaging with students and customers directly.

The objective of this policy is to set the parameters for the use of social media and digital communications. To inform employees of their responsibilities, when using social media in a personal capacity and to manage risks associated with use of these tools.

It is essential that employees understand that any comments/posts/ images or videos made or recorded on FF premises or at a place where FF is operating out of (eg. temporary outdoor location, retreat facility, public appearance or performance) are treated the same way as public statements and should only be made via official FF channels and after approval of a senior FF manager or administrator.

All communication with students should only be made via official channels which can and may be monitored at any stage by a senior FF manager or administrator.

The intention of this policy is to establish a culture of openness, trust and integrity in activities around all

Compliance

Depending on the circumstances, non-compliance with this policy may constitute a breach of contract of employment or other contractual obligations, misconduct (under FF's relevant discipline policy), sexual harassment, discrimination, or some other contravention of the law.

Failure to comply with the policy may result in disciplinary action and, in more serious cases, may result in termination of employment.

Identifying inappropriate use

Where an employee becomes aware of inappropriate or unlawful online content that relates FF, or content that may otherwise have been published in breach of this policy the situation and circumstances should be reported immediately to senior FF manager or administrator.

Definitions

Social media

Social media is the term used for internet-based tools for sharing and discussing information among people. It refers to user-generated information, opinion and other content shared over open digital networks.

Social media may include (although is not limited to):

- social networking sites (for example Facebook, Myspace, LinkedIn, Bebo, Yammer)
- video and photo sharing websites (for example Flickr, Youtube)
- blogs, including corporate blogs and personal blogs
- blogs hosted by media outlets (for example 'comments' or 'your say' feature on theage.com.au)
- micro-blogging (for example Twitter)
- wikis and online collaborations (for example Wikipedia)
- forums, discussion boards and groups (for example Google groups, Whirlpool)
- vid and podcasting
- online multiplayer gaming platforms (for example World of Warcraft, Second life)
- instant messaging (including SMS)
- geo-spatial tagging (Foursquare).
- telephone calls from private phones

Social media also includes all other emerging electronic/digital communication applications.

Employees

In this policy, employees include permanent staff and executives, contractors, temporary staff and students on placements.

Statement of policy

Professional use of social media

Becoming authorised to comment

- Before engaging in social media as a representative of the FF, employees must become authorised to comment. Employees may not comment unless authorised senior FF manager or administrator.
- To be authorised to comment or be an authorised spokesperson, employees must have the explicit approval of a senior FF manager or administrator.

Rules of engagement

Authorised representatives must:

- disclose that they are an employee/contractor of the FF, and use only their own identity, unless authorised to use an approved official account or avatar
- disclose and comment only on information classified as public domain information
- ensure that all content published is accurate and not misleading and complies with all relevant policies
- ensure they are not the first to make an announcement (unless specifically given permission to do so)
- comment only on their area of expertise and authority
- ensure comments are respectful of the community in which they are interacting online
- adhere to the terms of use for using the social media platform or website, and adhere to legislation including copyright, privacy, defamation, contempt of court, discrimination, harassment and any other applicable laws, and FF's Privacy Policy.

Authorised representatives must not:

- communicate privately or publicly in a manner which may be considered inappropriate or superfluous to duties outlined in your contract of employment.
- post or respond to material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a court suppression order, or is otherwise unlawful
- use or disclose any confidential or secure information
- comment or post any material that might otherwise cause damage to the FF's reputation or bring it into disrepute.

Moderation of FF produced social media

FF senior staff and administrators will ensure a clear and unambiguous the moderation policy is in place when inviting public comments to the FF website or social media platform.

All FF website activity (including any social media) must be approved by a senior FF staff member or administrator.

Personal use of social media

Overview

This policy does not to discourage nor unduly limit employees using social media for personal expression or other on-line activities in their personal life.

FF actively discourages all employees from interacting with ANY student under the age of 18 via their private social media accounts or personal digital devices. It is our policy that employees respect that messages sent via these devices can be misconstrued and therefore request that employees refrain from any interaction with underage students which may be considered inappropriate or superfluous to duties outlined in your contract of employment.

Employees should be aware of and understand the potential risks and damage to FF that can occur, either directly or indirectly from their personal use of social media and should comply with this policy to ensure that the risk is minimised.

Employees are personally responsible for content published in their personal capacity on any form of social media platform. When in doubt, employees can seek guidance from the senior FF managers on how to comply with the following obligations.

- To avoid breaching this policy employees must: 'unfriend', 'unfollow' or otherwise cease all activities which directly connect your personal social media accounts to any student under the age of 18 until such time as you seek explicit permission from the parent or guardian of the minor.
- only disclose and discuss publicly available information
- ensure that all content published is accurate and not misleading and complies with all relevant FF policies and the Law
- expressly state that stated views are personal and are not representative of the department or the government
- behave politely and respectfully
- adhere to the terms of use for using the social media platform or website, and adhere to legislation including copyright, privacy, defamation, contempt of court, discrimination, harassment and any other applicable laws, and the department's Privacy Policy.

Employees must not:

- communicate with students privately or publicly in a manner which may be considered inappropriate or superfluous to duties outlined in your contract of employment
- make or accept friend requests, 'tag' or 'follow' or otherwise make direct personal connections with any student under the age of 18 without explicit permission from the parent or guardian of the minor.
- post material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a Court suppression order, or is otherwise unlawful
- simply that they are authorised to speak as a representative of FF, nor give the impression that the views expressed are those of FF.
- use the identity or likeness of another employee, contractor, student or other member of FF
- use their FF email address or any FF logos, insignia or branding that may give the impression of official support or endorsement of their personal comment
- use or disclose any confidential information or personal information obtained in their capacity as an employee or contractor of FF
- post material that is, or might be construed as, threatening, harassing, bullying or discriminatory towards another employee or student of FF
- comment or post any material that might otherwise cause damage to the FF Brand and reputation or bring it into disrepute.

Reasonable and unreasonable personal use

When accessing social media via FF's Internet, systems, employees must do so in a way which requires employees to use these resources 'reasonably', in a manner that does not interfere with work, and is not inappropriate or excessively accessed.

Examples of reasonable use include:

- re-tweeting content from the FF account on a personal Twitter account
- sharing content posted via official FF channels (eg. Facebook, EDM's etc)
- participating in conversations on the FF Facebook page about issues directly relating to duties outlined in your contract of employment (eg commenting on a student's technique in an approved video posted by an authorised person) updating Facebook status and posting messages during a lunch break.
- FF resources should not be used to access or post any material that is fraudulent, harassing, threatening, bullying, embarrassing, sexually explicit, profane, obscene, racist, sexist, intimidating, defamatory or otherwise inappropriate or unlawful.
- Employees should not use the department's Internet and computer resources to provide comments to journalists, politicians and lobby groups other than as authorised in the course of their official duties.
- It is not acceptable to spend time using social media that is not related to your work unless it occurs in your own time (for example during meal breaks).

Guidance for navigating legal issues

The following is offered as general guidance to assist employees in complying with the obligations set out in this policy. When in doubt, employees should seek further guidance from the senior FF Managers or administrators.

Privacy, confidentiality and information security

- Employees should only use personal information obtained in the course of your employment or engagement with the FF in a manner consistent Privacy Policy.
- Users should not publish or report on conversations or information that is deemed confidential or classified or deals with matters that are internal in nature.
- Student personal information should not be made available on social media unless express consent has been obtained from the student (or parent/guardian if student is under the age of 18) in relation to the use and disclosure of their personal information.

Copyright

- Employees must respect copyright laws and fair use of copyrighted material.
- All employees are expected to attribute work to the original author or source wherever possible.

Harassment and bullying

- Workplace bullying and harassment includes any bullying or harassing comments employees make on-line, even on their own private social networks or out of office hours.
- Abusive, harassing, threatening or defaming postings are in breach of the Positive and Fair Workplaces - Working Well Together Package, and may result in disciplinary action being taken.
- All employees are expected to treat their colleagues with respect and dignity and must ensure their behaviour does not constitute bullying and/or harassment.

Defamation

Employees are to refrain from publishing material that may cause injury to another person, organisation, association or company's reputation, and should seek further legal guidance if publication of such material is thought to be necessary.

Offensive or obscene material

Material may be offensive or obscene and may infringe relevant online classification laws if it is pornographic, sexually suggestive, harassing, hateful, racist, sexist, abusive or discriminatory.

Contempt of court

All employees must exercise care if referring to pending court proceedings to avoid publishing material that may have a tendency to prejudice those proceedings, in particular, material that will not be part of the evidence in those proceedings.

It is recommended that all employees make enquiries as to any applicable court suppression orders prior to commenting on any court proceeding (whether past or pending).

Discipline

It is recognised that there will be a need to discipline children at FF. Our discipline procedure is as follows:

1. Child is given a verbal warning and possibly time out from class if warranted. Parents may be called depending on severity of breach
2. Child is given a second warning and or possibly removed from the remainder of the class. Parents may be called depending on severity of breach
3. Child is removed from class and parents are called to come and pick up their child.
4. Follow up action to any of these infringements may include any of the following; an official warning, suspension from classes and in the case of a severe breach of student code of conduct possible expulsion from Fly Factory.

Grievance Procedures

In the case where an unresolved dispute occurs between students and staff, students and a fellow students or parents and staff, FF may decide to suspend from training any of the students involved (and/or parents) or move the student to another class until the matter is resolved.

Cultural Sensitivity

Parents are asked to inform their instructors and the administration of any culturally specific requirements or behaviours that we should be aware of. Staff will do their best to cater for these needs wherever possible.

Language

Rude or offensive language by any FF staff, student, parents, spectators or volunteer will not be tolerated at FF. Sexually suggestive comments (even as a joke) are not allowed at FF. Should either of these occur then disciplinary procedures will be applied.

Appearance

It is important that all students and staff of FF are dressed appropriately at all times.

Staff: Staff should be in a FF t-shirt or hoodie for all performances and events. Training should involve instructors being in FF t-shirt or hoodie or appropriate circus attire (neat casual for office staff). Sexually suggestive attire is not allowed.

Students: Students should be dressed in appropriate attire at all times. Leggings, bike-pants, and crop tops are all acceptable - if in doubt check with your instructor. Sexually suggestive attire is not allowed. Long hair should always be tied up for safety reasons.

Reporting Procedures

WHAT to Report: Any breach of the FF code of ethics. In addition any disclosures or indicators of abuse.

WHEN to Report: All concerns should be reported immediately. It is a condition of staff employment that reporting of child abuse is mandatory.

WHO to Report to: Fly Factory Senior Management can be contacted with these types of concerns.

Holly Shoar – Ph:0402139661 Email: holly@flyfactory.com.au

HOW to Report: Either verbal or written document is fine. After an initial verbal report, the person who submitted the report may be asked to further clarify their concerns in writing.

Specific Reporting Guidelines for Child's Disclosure of child abuse

If a child discloses to you that they have been abused or neglected -

- Listen carefully to what they are saying.
- Tell the child that you believe them
- Tell them it is not their fault and they are not responsible for the abuse
- Let the child know that you will report to the appropriate authorities so they can help stop the abuse.
- Tell the child you are pleased that they told you
- Immediately report this to FF Senior Management
- Within 24 hours please document your entire conversation with the child and give a copy to the FF senior Management to assist them in their role.

DO NOT:

- Make promises that you can't keep (such as promising you won't tell anyone).
- Push the child into giving you details of the abuse. Your role is to listen to what the child wants to tell you, not to conduct an investigation.
- Indiscriminately discuss the circumstances of the child with others not directly involved in helping the child.

Specific Reporting Guidelines for Observations or Suspicions

If a parent, staff member or child has observed or heard any behaviour that that has given cause for concern then they should report it. Examples may include obvious or subtle breaches of the code of ethics, a person seeking to be alone with children or work practice which is seen to compromise the wellbeing of children or FF. It may be an obvious incident or a pattern people are beginning to notice. Alternatively a child may be exhibiting concerning behaviours which may indicate they are at risk or are currently being or have previously been abused in their home or school environment. In these situations any person that notices any of the above should report the reasons and evidence of their concerns to senior management or FF Director. Where possible the identity of the reporter should be kept confidential.

Specific Reporting Guidelines for Complaints or Allegations made:

If a parent, staff member or child makes a written or verbal complaint about an incident or a series of incidents that have given cause for concern:

Once a complaint or allegation has been made it needs to be taken seriously and directly reported to senior management or the FF Director. Confidentiality is critical in protecting all parties, however it should be explained to the complainant that it may be necessary to inform the statutory authorities and their co-operation may be sought. If the complaint is not clear in any way then it is prudent to ask for a written complaint so there is no confusion as to what the actual concern or complaint is.

The Next Step

The next step in the process is to gather as much information as possible to ascertain the degree of risk present. All concerns and evidence must be documented and stored in line with confidentiality requirements and the state privacy legislation. It may be appropriate to move the student to a different class, or request that the child lift/shares with a different parent temporarily whilst the risk assessment is taking place. This should be done in a way to make the child feel as comfortable and safe as possible and should not in any way be seen as a reflection of fault rather a prudent step to ensure all parties are fairly treated. Once all the risk management and fact finding is complete, a decision will be made and endorsed by Senior Management and FF.

Possible outcomes include:

No further Action

The behaviours or complaint are unfounded and there is no evidence of risk or harm to children. A record of the concerns and subsequent decision will be filed and stored confidentially by the Senior Management. It is important to explain the process that was followed to those that raised the concern and reassure them that the matter was taken seriously and that FF appreciates and encourages this level of awareness of child safety. If the child was moved during the risk assessment process they can then resume normal activities.

Ongoing Monitoring or Performance Review

Depending on the role and responsibilities of the person who the complaint/allegation is about, FF's senior management, in conjunction with the FF Director will need to clearly document the concerns. It is important to describe in detail to the person when the concerns are raised what is expected of them in order to fulfil their ongoing role (be it staff, instructor, performer or volunteer) at FF. The FF Code of ethics should be used as framework for a performance review process so the person is clear what is expected and not expected of them. If the child was moved during the risk assessment process they can then be offered to resume normal activities.

If at any stage it becomes apparent that the safety of children may be compromised during this process the matter must be reported to the police and child protection as soon as possible.

Disciplinary Procedures

FF needs to protect itself and the rights of staff, volunteers and children. In serious matters it is recommended to seek legal/Industrial advice as a first step if suspension or change of duties is warranted. If it is deemed there is any risk or threat to children at FF suspension of the instructor, staff member, volunteer or parent involved should occur immediately. The person should be asked not to contact the parents or children or discuss allegations until any investigations (Police/Child Protection) are complete and an outcome reached. Then a decision will be made as to whether the person is reinstated or dismissed. FF will pay close attention to this process to ensure the person rights, entitlements and reputation are upheld. This will also apply if/when the person returns to FF if the investigation reveals no basis for concern.

Staff Screening & Recruitment

At FF our recruitment and selection procedures reflect our commitment to the safety and protection of children in our classes. Firstly, we will ensure we have a detailed job description that will be given to any potential employee; this description will include a statement about FF's commitment to child protection and safety. FF is particularly diligent about trying to recruit staff and volunteers that are positive adult role models, who have a healthy self esteem, stability and positive interests in their lives. FF requires our Employee Application Form be filled out by all potential employees which also include 3 reference checks??? Police WWC and not sure what the 3rd would be?

All potential employees of FF are required to provide a written reference by a person they have know for at least 3 years. In addition, they must provide contact details for three referees and one must be their last employer. It is FF's policy that all three references are checked. All employees are required to provide or undergo a Working with Children's Check and current police check as a condition of their employment at FF. As part of their induction all new employees will be required to read the Child Protection Policy and sign that they have read it.

Useful Contact Numbers

ChildWise- National Program Manager - Debbie

(03) 9645 8911 or 0408 00 88 53

- Australian Childhood Foundation (03) 9874 3922
- Broken Rites (03) 9457 4999
- Children's Protection Society (03) 99458 3566
- Centre for Excellence (03) 9614 1577 or 1800 013 088
- CREATE Foundation (03) 9614 0439
- Parent Line 132289
- If you feel that any part of our code of ethics have been breached or any policies have not been followed please do not hesitate to let us know.
- Our Staff review our Child Protection policies on an annual basis.

Agreement, Review & Status

Policy Status

This document and all policies contained herein is effective from 1st July 2015

Modification and Review

FF reserves the right to update or modify this policy at any stage and, for any reason deemed necessary by FF's management and/or Legal advisors.

Agreement & Signature

I _____ (Print Name), have read and understood all policies and guidelines outlined in this document. I agree to act in accordance with all policies and guidelines outlined in this document, at all times during my employment at Fly Factory. I fully understand that failure to do so may result in disciplinary action and/or termination of my employment with or without notice.

Signature

___/___/___
Date

Witness (Senior Manager or Administrator)

Signature

___/___/___
Date