GIPPSLAND SPORTS ACADEMY

CHILD SAFE POLICY

Date created:	1 July 2022
Audience:	Gippsland Sports Academy Board, Staff, Coaches & Athletes
Version:	2021:2
Purpose of Document:	To provide understanding of the Child Safe Policy that the Gippsland Sports Academy are bound by
Actions:	• All Gippsland Sports Academy Board, Staff, Coaches and Service Providers acknowledge that they have read and understand this guide • Encourage Parents and Athletes to read and understand. Policy can be found on Webpage
Review:	1 July 2023 if not prior
Gippsland Sports Academy Contact:	Executive Officer: Anita Pistrin Board Chair: Sandra Timmer-Arends
Contents:	**Document** Child Safe Policy **Pages** 8
Other relevant resources (see Gippsland Sports Academy website) https://www.sportgippsland.org.au/about-us/child-safe-standards/	• Code of Conduct for dealing with Children & Young People • Teens Guide • Parents and Guardians Guide • Athlete Code of Behaviour • Social Media Policy

GIPPSLAND SPORTS ACADEMY

CHILD SAFE POLICY

1. INTRODUCTION

1.1. Gippsland Sports Academy (GSA) is committed to ensuring that children and young people who participate in its activities have a safe and happy experience. GSA supports and respects children, young people, staff, volunteers and participants.

1.2. The aim of GSA's Child Safe Policy (the Policy) is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints will be treated seriously and fully investigated and handled with maximum confidentiality and discretion.

1.3. Should a person wish to make any enquiries in relation to this Policy, please contact the (GSA Executive Officer, Anita Pistrin, 03 5127 0163).

2. POLICY STATEMENT

2.1. GSA is committed to providing the highest level of safety for all involved with all GSA sporting programs. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering the GSA's activities while acting in the best interests of children in the sport.

2.2. Specifically, GSA considers that the health, safety and well-being of children take priority over all other competing considerations. GSA considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, GSA and its members.

2.3. GSA has a zero-tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation etc.

2.4. Child protection is a shared responsibility between GSA, its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers and members of the GSA community. Everyone that participates in GSA's activities is responsible for the care and protection of children, and reporting information about child abuse.

2.5. GSA supports the active participation of all children. It listens to their views, respects their views and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

2.6. GSA is also committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

2.7. GSA promotes fairness and consideration for all staff, volunteers and participants. For further details please refer to the GSA Member Protection Policy.

3. SCOPE

3.1. This Policy applies to everyone involved in or connected to all GSA sporting programs, including (but not limited to) participants, parents, spectators, contractors, officials, coaches, judges and staff throughout all GSA events and activities.

3.2. This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with GSA.

4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS

4.1. This Policy must be read in conjunction with:

4.1.1. the laws of the Commonwealth and Victoria (as amended from time to time) including but not limited to:

4.1.1.1. Children, Youth and Families Act 2005 (Vic)

4.1.1.2. Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)

4.1.1.3. Crimes Act 1958 (Vic); and

4.1.1.4. Working with Children Act 2005 (Vic)

4.1.2. GSA policies and procedures, including but not limited to:

4.1.2.1. Code of Conduct for Dealing with Children and Young People;

4.1.2.2. Athlete Code of Behaviour;

4.1.2.3. Teens Guide

4.1.2.4. Parent/Guardian Guide;

4.1.2.5. Social Media Policy

5. DEFINITIONS

5.1. **Child** means a person involved in the activities of GSA (including athletes) and under the age of 18 years unless otherwise stated under the law applicable to the child (eg, for the purposes of child sexual offences in Victoria, a "child" refers to a person under the age of 16 years).

5.2. **Child Abuse** is the mistreatment of a Child or Young Person that has Harmed, is Harming or is likely to Harm or endanger that Child or Young Person's physical or emotional health, development or wellbeing and the Child has not, or is not likely to be protected by the parent(s) or guardian(s). For the avoidance of doubt, this includes but is not limited to Emotional or Psychological Abuse, Bullying, Grooming, Sexual Exploitation, Neglect and Harassment.

5.3. **Child protection** means any responsibility, measure or activity undertaken to safeguard children from Harm.

5.4. **Grooming** is a term used to describe what happens when a perpetrator of Abuse builds a relationship with a Child with a view to abusing them at some stage. There is no set pattern in relation to the Grooming of Children. For some perpetrators, there will be a lengthy period of time before the Abuse begins. The Child may be given special attention and what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a Child in and abuse them relatively quickly. Some abusers do not groom Children but Abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, in social media or by other technological channels.

5.5. **Harm** means Harm to a person, or a Child is any detrimental effect of a significant nature to the person or Child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:

- Physical, Psychological or Emotional Abuse or Neglect;
- Sexual Abuse or Exploitation;
- a single act, omission or circumstance; and
- a series or combination of acts, omissions or circumstances.

5.6. **Sexual offence** (in Victoria) means a criminal offence involving sexual activity or actions of indecency or any act which exposes a child under the age of 16 years to or involves a child under the age of 16 years in, sexual activity or matters beyond his or her understanding or contrary to accepted community standards. Sexually offence behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child under the age of 16 years (or their carer, family or supervisor) to lower their inhibitions and prepare them for engagement in a sexual offence.

5.7. **Mandatory reporter** means a person who is legally required to make a report to the Department of Health and Human Services or the Police if they form a belief on reasonable grounds that a child is in need of protection. It includes (but is not limited to) teachers, principals, registered psychologists, nurses, doctors and midwives.

6. RECOGNISING AND REPORTING CHILD ABUSE

6.1. A person may, in the course of participating in the sport or other activities of GSA or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.

6.2. If a person is concerned about an immediate risk to a child's safety, the person must phone Victoria Police on "000" as soon as practicable.

6.3. Specific types of **Child abuse** include:

6.3.1. **Physical abuse**: occurs when a child has suffered, or is likely to suffer, significant Harm as a result of a physical injury, such as a non-accidental physical injury.

6.3.2. **Sexual abuse**: occurs when a child has suffered, or is likely to suffer, significant Harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.

6.3.3. **Emotional and psychological abuse** occurs when a child has suffered, or is likely to suffer, emotional or psychological Harm of such a kind that the child's emotional or intellectual development is or is likely to be significantly damaged; and

6.3.4. **Neglect**: occurs when a child's physical development or health has been, or is likely to be significantly damaged. It refers to an omission, such as depriving a child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

6.4. **Mandatory Reporters**

6.4.1. Select classes of people in the community (including teachers, nurses and doctors – amongst others) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

6.4.2. This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable grounds for the belief.

6.5. **Reasonable grounds for belief**

6.5.1. A reasonable belief is formed if a reasonable person believes that:

6.5.1.1. the child is in need of protection;

6.5.1.2. the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and

6.5.1.3. the child's parents are unable or unwilling to protect the child.

6.5.2. To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

6.5.3. A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof but is more than mere rumour or speculation.

6.5.4. You will have reasonable grounds to notify if:

6.5.4.1. a child states that they have been physically or sexually abused;

6.5.4.2. a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);

6.5.4.3. someone who knows a child states that the child has been physically or sexually abused;

6.5.4.4. professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or

6.5.4.5. signs of abuse lead to a belief that the child has been physically or sexually abused.

6.6. **Voluntary Reporters**

6.6.1. In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, *may* disclose that information to the Police, DHHS or the Commissioner for Children & Young People (**CCYP**).

6.7. **Reporting Child Sexual Abuse**

6.7.1. If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of imprisonment.

6.8. **GSA Approach to Reports of Abuse**

6.8.1. GSA supports and encourages a person to make a report to the Police, CCYP or DHHS if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.

6.8.2. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or voluntary) will be supported by GSA and will not be penalised by GSA for making the report.

6.8.3. If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the GSA CEO or GSA MPIO for guidance and information. If in doubt, ask for assistance.

6.8.4. If an allegation is made against a member of staff or volunteer, GSA will follow the reporting procedure outlined in GSA Rules and take all steps to ensure that the safety of the child and other children is paramount.

6.8.5. GSA will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential and sensitive manner to the greatest extent possible.

6.8.6. GSA will cooperate with the directions of the Police, CCYP and/or DHHS in relation to any investigation conducted by these authorities.

6.8.7. GSA will keep a register of any allegations regarding inappropriate conduct.

7. ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN

7.1. Personnel involved in protecting children include the board, management, staff and volunteers within the Organisation. Those people have responsibilities in relation to protection of children and are expected to:

7.1.1. understand the rights of children, as appropriate to their role;

7.1.2. respect the cultural and religious practices of families who access GSA's services, programs or events;

7.1.3. understand and appropriately respond to the needs of children with developmental delays or disabilities;

7.1.4. appropriately act on any concerns raised by children;

7.1.5. understand the definitions, indicators and impact of child abuse;

7.1.6. at all times, know and follow regulations in relation to the care of children and follow the Code of Conduct for dealing with Children and Young People;

7.1.7. co-operate with police and/or other formal investigations to the best of their ability; and

7.1.8. not harm or exploit children who access GSA's services.

7.2. GSA will appoint a Child Safety Officer or equivalent role that will be the primary point of contact for all concerns related to child safety.

8. RECRUITMENT AND SCREENING

8.1. The minimum standard for background checks of employees, contractors and volunteers of GSA and its members is the law as it applies in Victoria.

8.2. GSA undertakes a comprehensive recruitment and screening process for all staff, contractors and volunteers which aims to:

8.2.1. promote and protect the safety of all children who participate in the activities of GSA;

8.2.2. identify and recruit the safest and most suitable candidates who share GSA’s values and commitment to protect children; and

8.2.3. prevent a person from working at GSA if they pose an unacceptable risk to children.

8.3. GSA requires staff, contractors and volunteers to pass the recruitment and screening process prior to commencing their engagement with GSA.

8.4. As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g. WWCC or other state equivalent and/or Police check) to show that they are suitable to work with children and young people in a recreational setting. GSA requires that:

8.4.1. all GSA staff and Board members require a WWCC; and

8.4.2. the following key event personnel must have a valid WWCC:

8.4.2.1. those paid by GSA for their services;

8.4.2.2. volunteers with regular roles in GSA;

8.4.2.3. relevant contractors who may have unsupervised access to children; and

8.4.2.4. anyone else who GSA staff feel requires a WWCC due to the nature of the work that they are undertaking for GSA.

8.5. The type of evidence that an applicant is required to provide to GSA will vary depending on the type of position that they are applying for. However, an applicant will not be offered a position until they provide the required evidence to GSA.

8.6. GSA will exercise discretion and may require applicants to provide a Police check in accordance with the law and as appropriate, before they commence their engagement and during their time with GSA in regular intervals.

8.7. GSA will undertake at least two thorough reference checks prior to engaging any personnel.

8.8. Once engaged, GSA will provide staff and volunteers with access to this policy and staff and volunteers must review and acknowledge their understanding of this policy.

8.9. GSA requires that affiliated clubs ensure all staff and volunteers (including coaches and any officials) likely to have contact with athletes (and other children) have a current WWCC, which needs to be signed off annually as part of the affiliation process. Clubs which do not comply with their legal obligations will be found to have not complied with the GSA affiliation requirements and will be disaffiliated.

8.10. GSA requires all affiliated club personnel including owners, Committee Members, Volunteers, Coaches and Judges and anyone else who has contact with children to possess a valid working with children check. Any costs associated with gaining a valid WWCC will be dealt with in a manner determined by that club.

9. SUPPORTING PERSONNEL

9.1. GSA is committed to ensuring that all staff, Board members, volunteers and contractors receive training to ensure that they understand their responsibilities in relation to child safety. Mandatory training at GSA includes:

9.1.1. Induction, Play by the Rules Training, risk management training, cultural awareness training.

9.2. GSA assists its Board members, staff, contractors and volunteers to incorporate child safety considerations into decision-making and to promote a culturally safe environment where children are empowered to speak up about issues that affect them.

10. RISK MANAGEMENT APPROACH

10.1. Child safety is a part of GSA's overall risk management approach.

10.2. See CCYP Guide for Creating a Child Safe Organisation.

11. POLICY BREACHES

11.1. It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have done anything contrary to this policy. Any person who may breach this policy is subject to (insert relevant organisation discipline process, Member Protection Policy and/or grievance procedure outlined in the organisation constitution).

12. POLICY PROMOTION

This policy will be made available to all members via the GSA website and email

12.1. This policy will be communicated to all staff, Board, and Committee members via GSA website and email.

12.2. References to this policy will be included in documentation provided to all team officials that represent GSA.

13. RECORD KEEPING

13.1. GSA will retain records of reports of child abuse and complaints about child safety.

13.2. In maintaining records of reports about child safety, GSA will maintain confidentiality and privacy for children and families in accordance with legislation.

13.3. GSA will appropriately note identified risks to child safety through the record keeping process and will incorporate those into its risk management plan.

14. REVIEW PROCESS

14.1. This policy will be reviewed by the GSA Board on an annual basis.

14.2. If you would like to provide GSA with any feedback or suggestions to improve this policy, please contact Anita Pistrin (EO) on 03 5127 0223 or anitap@sportgippsland.org.au

14.3. In addition to the regular review of this policy, recommendations for changes to the policy may be submitted to the Board for consideration at any time. In the event that changes are accepted, the policy will be updated, and circulated to all stakeholders via the webpage, bulletin and other appropriate communication channels.