



CHILD SAFETY PROCEDURES

Purpose

This procedures document was written to demonstrate the strong commitment of the management, staff and volunteers and Nunawading Amateur Basketball Association (NABA) and Melbourne East Basketball Association (MEBA) to child safety, the screening process for people in our Association who work, coach, supervise or have regular unsupervised contact with people under the age of 18, what constitutes good and poor practices when dealing with minors, and how to effectively respond to incidents of abuse.

From 1 January 2017, the Victorian Safety Standards apply to sporting organisations that operate and provide sporting services to children within Victoria. There are seven different standards and three principles with which sports are required to comply.

The standards relate to child protection within our organisation and include requirements to have practices, procedures, and policies in place to keep all children safe from abuse.

Our Association will:

- Identify positions that involve working, coaching, supervising, or regular unsupervised contact with people under the age of 18 years.
- Obtain a completed *Member Protection Declaration (MPD)* from all people who are identified in the above step. This document will be stored securely by NABA and MEBA.
- Provide an opportunity for a person to give an explanation if a MPD is not provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
- Gain two documented reference checks about his/her suitability for the role, undertaken with independent people, not family members or friends of the applicant.
- All staff, volunteers, Board of management/committee members, students on placement and contractors must have a valid Working with Children Check (WWCC), linked to the Association, issued by the Victorian government, prior to commencement with the Association. Our organisation recognises two (2) exceptions to the WWCC – Victorian Police Officer or Australian Federal Police officer, or teachers who are currently registered with the Victorian Institute of Teaching. These personnel are not required to have a Victorian WWCC for the positions identified in Step 1 if a persons' Victorian Institute of Teaching registration is suspended or cancelled, they must have a valid WWCC to work or volunteer with children at NABA and MEBA. Proof must be provided of these exceptions. The validity of their registration as a registered teacher will be checked via the Victorian Institute of Teaching web portal http://www.vit.vic.edu.au/search-the-register/_nocache For further information on WWCC requirements please see the NABA and MEBA Working with Children Check Policy and the NABA and MEBA Working with Children Check Procedure.
- If a member of the Victorian or Federal Police are suspended or dismissed from the force, they are no longer exempt and must hold a WWCC to work or volunteer with children.

Promoting Good Practice

All personnel should adhere to the following principles and actions:

- Always work in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets)
- Make the experience of basketball fun and enjoyable; promote fairness, confront, and deal with bullying

- Treat all children, including Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability equally and with respect and dignity
- Always put the welfare of the child first, before winning
- Maintain a safe and appropriate distance with players (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them)
- Avoid unnecessary physical contact with children. Where any form of manual/physical support is required, it should be provided openly and with the consent of the child. Physical contact can be appropriate so long as it is neither intrusive nor disturbing and the child's consent has been given
- Involve parents/carers wherever possible, e.g. where children need to be supervised in changing rooms, encourage parents to take responsibility for their own child. If groups require supervision in changing rooms always ensure parents, coaches, etc. work in pairs
- Request written parental consent if Association officials are required to transport children in their cars
- Gain written parental consent for any significant travel arrangements e.g. overnight stays
- Ensure that if mixed teams are taken away, they should always be accompanied by a male and female member of staff
- Ensure that at away events adults should not enter a child's room or invite young people to their rooms
- Be an excellent role model; this includes not smoking or drinking alcohol in the company of children
- Always give enthusiastic and constructive feedback rather than negative criticism
- Recognising the developmental needs and capacity of the children and do not risk sacrificing welfare in a desire for Association or personal achievements. The means avoiding excessive training or competition and not pushing them against their will
- Secure written parental consent for the Association to act in loco parentis, to give permission for the administration of emergency first aid or other medical treatment if the need arises, or phone permission in the absence of a parent/guardian
- Keep a written record of any injury that occurs, along with details of any treatment given

Poor Practice

The following are regarded as poor practice and should be avoided by all personnel:

- Unnecessarily spending excessive amounts of time alone with children away from others
- Taking children alone in a car on journeys, however short
- Taking children to your home where they will be alone with you
- Sharing a room with a child
- Engaging in rough, physical, or sexually provocative games, including horseplay
- Allowing or engaging in inappropriate touching of any form
- Engaging privately with children on social media platforms
- Taking unauthorised photographs of children
- Allowing children to use inappropriate language unchallenged
- Making sexually suggestive comments to a child, even in fun
- Reducing a child to tears as a form of control
- Allowing allegations made by a child to go unchallenged, unrecorded, or not acted upon
- Doing things of a personal nature that the children can do for themselves

When a case arises where it is impractical/impossible to avoid certain situations e.g. transporting a child in your car, the tasks should only be carried out with the full understanding and consent of the parent/carer and the child involved.

If during your care you accidentally hurt a child, the child seems distressed in any manner, appears to be sexually aroused by your actions and/or if the child misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a written note of it. Parents should also be informed of the incident.

Procedures for responding to Suspicions and Allegations

It is not the responsibility of anyone working for our Association in a paid or unpaid capacity to decide whether child abuse has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the child. This applies **BOTH** to allegations/suspicions of abuse occurring within our Association's activities and to allegations/suspicions that abuse is taking place elsewhere.

This guide explains how to respond to allegations/suspicions.

Receiving Evidence of Possible Abuse

- **Stay calm** so as not to frighten the young person.
- **Reassure** the child that he/she is not to blame and that it was right to tell.
- **Listen** to the child, showing that you are taking him/her seriously
- **Keep questions to a minimum** so that there is a clear and accurate understanding of what has been said. The law is very strict and child abuse cases have been dismissed where it is felt that the child has been led or words and ideas have been suggested during questioning. Only ask questions to clarify.
- **Inform** the child that you have to inform other people about what he/she has told you. Tell the child this is to help stop the abuse from continuing.
- **Safety of the child** is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern, and ensure they are made aware that this is a child protection issue.
- **Record** all information
- **Report** the incident to the Association's Child Safety Officer.

We may become aware of possible abuse in various ways. We may see it happening, we may suspect it happening because of signs such as those listed above, or it may be reported to us by someone else or directly by the child affected.

In the last of these cases, it is particularly important to respond appropriately. If a child says or indicates that he/she is being abused, you should:

- Safety of the child is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern, and ensure they are made aware that this is a child protection issue.
- Record all information
- Report the incident to the Associations Child Safety Officer.

Recording Information

To ensure that information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern. In recording you should confine yourself to the facts and distinguish what is your personal knowledge and what others have told you. Do not include your own opinions.

Information should include the following:

- The child's name, age, and date of birth
- The child's home address and telephone number
- Whether or not the person making the report is expressing their concern or someone else's
- The nature of the allegation, including dates, times, and any other relevant information
- A description of any visible bruising or injury, location size etc. Also, any indirect signs, such as behavioural changes
- Details of witnesses to the incidents
- The child's account, if it can be given, of what has happened and how any bruising/injuries occurred
- Have the parents been contacted? If so what has been said?
- Has anyone else be consulted? If so record details
- Has anyone been alleged to be the abuser? Record details

Reporting a Concern

All suspicions and allegations **MUST** be reported appropriately. It is recognised that strong emotions can be aroused particularly in cases where sexual abuse is suspected or where there is misplaced loyalty to a colleague. It is important to understand these feelings but not allow them to interfere with your judgement about any action to take.

Our association expects its members and staff to discuss any concerns they may have about the welfare of a child **IMMEDIATELY** with the person in charge and subsequently to check that appropriate action has been taken.

If the nominated Child Safety Officer is not available, you should take responsibility and seek advice from the duty officer at your local social services department or the police. Telephone numbers can be found in your local directory.

Where there is a complaint against an employee or volunteer, there may be three types of investigation.

1. **Criminal** in which case the police are immediately involved
2. **Child Protection** in which case the social services (and possibly) the police will be involved
3. **Disciplinary or Misconduct** in which case Basketball Victoria will be involved

As mentioned previously in this document, the association's employees and volunteers are not child protection experts and it is not their responsibility to determine whether abuse has taken place. All suspicions and allegations must be shared with professional agencies that are responsible for child protection.

Social services have a legal responsibility under The Children Act 1989 to investigate all child protection referrals by talking to the child and family (where appropriate), gathering information from other people who know the child and making inquiries jointly with the police.

NB: If there is any doubt, you must report the incident; it may be just one of a series of other incidences which together cause concern

Any suspicion that a child has been abused by an employee or a volunteer should be reported to the association who will take the appropriate steps to ensure the safety of the child in question and any other child who may be at risk. This will include the following;

- We will refer the matter to social services department and/or police
- The parent/carer of the child will be contacted as soon as possible following advice from the social services department
- The CEO of our association will be notified to decide who will deal with any media inquiries and implement any immediate disciplinary proceedings
- If the Associations' Child Safety Officer is the subject of the suspicion/allegation, the report will be made to the appropriate manager who will refer the matter to social services

Allegations of abuse are sometimes made sometime after the event. Where such an allegation is made, you should follow the same procedures and have the matter reported to social services and/or the police. This is because other children in the sport or outside it may be at risk from the alleged abuser. Anyone who has a previous conviction for offenses related to abuse against children is automatically excluded from working with children.

Concerns outside the Immediate Sporting Environment (e.g. parent or carer)

- Report your concerns to the Child Safety Officer
- If the Child Safety Officer is not available, the person being told or discovering the abuse should contact their local social services department or the police immediately.
- Social Services and the Child Safety Officer will decide how to inform the parents/carers.
- The Child Safety Officer should also report the incident to the CEO. They will ascertain whether the person/s involved in the incident play a role in the association and act accordingly.
- Maintain confidentiality on a need-to-know basis.

NOTE: Please also refer to the Victoria State Government's Education and Training website:

<http://www.education.vic.gove.au/school/principals/spag/safety/Pages/childprotection.aspx> for further information on child protection reporting obligations. This website will provide you with information on the concerned authorities to be contacted when child abuse has taken place and the procedures to be followed for making a report of child abuse to the concerned authorities.

Precautions to be taken while photographing children

When photographing or filming a child or using children's images for work-related purposes, one must:

- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child.
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this one must explain how the photograph or film will be used.
- Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Understand that the onus is on him/her to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.



MEMBER PROTECTION DECLARATION

I, **(name)** of

..... **(address)** born / /

solemnly and sincerely declare:

1. I am, or wish to be appointed as, a coach/administrator/official for basketball in the

.....competition conducted by..... **[association or league etc].**

Apart from the matter disclosed to Basketball Victoria

2. I have never been charged with any criminal offence relating to child sexual abuse.
3. I am currently not the subject of any charge of a criminal offence relating to narcotics, violence or abuse including sexual abuse which has not yet been dealt with by the Courts.
4. I have not been found guilty by a Court of a criminal offence relating to narcotics, violence or abuse including sexual abuse.
5. No person has ever sought or obtained any intervention order, injunction or other restraining order against me alleging verbal or physical abuse (including sexual abuse).
6. I am not currently the subject of any sanction issued by a basketball association against me which prohibits me from holding a position of the type set out in clause 1 above.
7. No application submitted on my behalf has been rejected for, nor have I been suspended or dismissed from, a position in sport, volunteer organisation, business, educational or other Government or semi-government organisation where that rejection, suspension or dismissal relates to my conduct with persons aged under eighteen (18) years of age or to violence or drug use.
8. There are no other matters, which a reasonable person would consider relevant to the fitness of a person to be a coach of a team of players aged under eighteen or an administrator with frequent contact with persons aged under eighteen.
9. **I will notify the President or CEO of the organisations appointing me to my position immediately upon becoming aware that any of the matters set out in clauses 2 to 6 above has changed for whatever reason.**

I make this declaration that the information contained in it is true and correct and I make it understanding that a person making a false declaration is liable to the penalties of perjury.

Declared at, in the State of this day of 20

.....
Signature

Before me:

(to be witnessed by a person qualified to take statutory declarations see below)

Statutory Declarations may be made before:

- A Justice of the Peace or a Bail Justice
- A Notary Public
- A Barrister and Solicitor of the Supreme Court of Victoria
- A Clerk to a Barrister and Solicitor of the Supreme Court of Victoria
- The Prothonotary or a Deputy Prothonotary of the Supreme Court of Victoria
- Registrar or Deputy Registrar of the County or Magistrates' Courts, or of Probate
- Associate to a Judge of the Supreme or County Courts
- Secretary to a master of the Supreme or County Courts
- A Patent Attorney
- Member of the Police
- The Sheriff or a Deputy Sheriff
- Current or former Member of Parliament of Victoria or the Commonwealth
- Councillor or senior officer of a Council
- Medical Practitioner
- Dentist
- Veterinary Surgeon
- Pharmacist
- School Principal
- Manager of an approved deposit taking institution (bank)
- An Accountant who is a member of the Institute of Chartered Accountants, the Society of CPAs or the National Institute of Accountants
- The Secretary of a Building Society
- A Minister of Religion who is authorised to perform marriages
- A Senior Victorian Public Servant
- A Member of the Institute of Legal Executives