



## **Wyndham Basketball Association Inc.**

ABN 13 743 366 751

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## **Child Protection Policy**

Updated: December 2016

# CHILD PROTECTION POLICY

## Statement of Commitment to Child Protection

- Our association is committed to child safety.
- We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.
- We are committed to the safety, participation and empowerment of all children.
- We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.
- We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- Our association is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- Our association has robust human resources and recruitment practices for all staff and volunteers.
- Our association is committed to regularly training and educating our staff and volunteers on child abuse risks.
- We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.
- We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

## Introduction

This policy is intended to empower children who are vital and active participants in our association. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

Everyone who participates in our association's activities is entitled to do so in an enjoyable and safe environment. Wyndham Basketball Association has a moral and legal obligation to ensure that, when given responsibility for young people, coaches, officials, volunteers, staff members and parents provide them with the highest possible standard of care.

Wyndham Basketball Association is committed to devising and implementing policies so that everyone in sport accepts their responsibilities to safeguard children from harm and abuse. This means to follow procedures to protect children and report any concerns about their welfare to appropriate authorities.

The aim of the policy is to promote good practice, provide children and young people with appropriate safety/protection whilst in the care of Wyndham Basketball Association and to allow staff and volunteers to make informed and confident responses to specific child protection issues.

### **Child:**

The words 'child' and 'children' in this guide refer to children and young people up to the age of 18 years.

This definition is consistent with the national framework, Creating Safe Environments for Children – Associations, Employees and Volunteers, the Commission for Children and Young People Act, the Child Wellbeing and Safety Act 2005 and the Children, Youth and Families Act 2005.

The term 'child' in this guide is inclusive of anyone under 18 years of age. Not utilising the term 'young people' is not intended to diminish any emphasis on, or acknowledgement of, the safety risks to older children or teenagers.

## Policy Statement

Wyndham Basketball Association is committed to the following:

- Welfare of the child is paramount
- All children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in basketball in a fun and safe environment
- Taking all reasonable steps to protect children from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings
- All suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately
- All Wyndham Basketball Association employees who work with children will be recruited with regard to their suitability for that responsibility, and will be provided with guidance and/or training in good practice and child protection procedures
- Working in partnership with parents and children is essential for the protection of children.

## **Promoting Good Practice**

To provide children with the best possible experience and opportunities in basketball everyone must operate within an accepted ethical framework such as The Codes of Conduct.

It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of employees or participants in basketball to make judgements about whether or not abuse is taking place. It is, however, their responsibility to identify poor practice and possible abuse and act if they have concerns about the welfare of the child.

Please read Attachment 1 below to help you identify good practice and poor practice.

## **Children's Rights to Safety and Participation**

Wyndham Basketball Association is committed to the safety and wellbeing of all children accessing our service. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times.

Wyndham Basketball Association also promotes the involvement and participation of children and young people in developing and maintaining child-safe environments.

We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our association, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- Promote the cultural safety, participation and empowerment of Aboriginal children
- Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- Ensure that children with a disability are safe and can participate equally.

## **Identify and Analyse Risk of Harm**

Wyndham Basketball Association will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the association is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer, official, parent, player or another person.

## **Ensure that Adults and Children Adhere to the Codes of Conduct**

Wyndham Basketball Association will ensure that all adults are aware of and adhere to the Basketball Victoria Codes of Conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the association's care. The association will also implement a code of conduct to address appropriate behaviour between children. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the Codes of Conduct.

## Training and Supervision

Training and education is important to ensure that everyone in our association understands that child safety is everyone's responsibility.

Our association culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff and volunteers through ongoing supervision to develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our association's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to the association's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

## Association Welfare Officer

It is not the responsibility of anyone working for Wyndham Basketball Association in a paid or unpaid capacity to decide whether or not 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 young person. This applies BOTH to allegations/suspicions of abuse occurring within our association's activities and to allegations/suspicions that abuse is taking place elsewhere.

Wyndham Basketball Association will ensure that an association Welfare Officer is appointed to look over matters concerning child safety and abuse. We expect our members and staff to discuss any concerns that they may have about the welfare of a child IMMEDIATELY with the nominated association welfare officer. The association welfare officer will ensure that the concerns/incident reported to him/her remain confidential and that the identity of the person reporting the concern/incident is not revealed.

The association welfare officer will be required to report all the incidents noted by him/her to the appropriate authority at Basketball Victoria who will then ascertain whether or not the person/s involved in the incident play a role in the association and act accordingly.

## Screening and Recruitment

Wyndham Basketball Association ensures that all reasonable steps are taken in order to engage the most suitable and appropriate people to work with children. This is achieved using a range of screening measures. Such measures help us minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our association understands that when recruiting staff and volunteers, we have ethical as well as legislative obligations.

We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the Working with Children Check website [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au) for further information.

Please read Attachment 2 below which states the screening processes followed by our association.

## **Interview, Induction and Training for Personnel**

### ***Interview and Induction***

All employees and volunteers will be required to undertake an interview carried out to acceptable protocol and recommendations. All employees and volunteers will receive formal or informal induction during which:

- A check will be made that the application form has been completed in full, including sections on criminal records and self-disclosures
- Their qualifications will be substantiated
- The job requirements and responsibilities will be clarified
- They will sign up to the association's Codes of Conduct and the Member Protection Declaration
- Child Protection Procedures will be explained and training needs will be identified e.g. basic child protection awareness

### ***Training***

In addition to pre-selection checks, the safeguarding process includes training after recruitment to help staff and volunteers to:

- Analyse their own practice against what is deemed good practice, and to ensure their practice is likely to protect them from false allegations
- Recognise their responsibilities and report any concerns about suspected poor practice and/or abuse
- Respond to concerns expressed by a child
- Work safely and effectively with children

## **Fair and Just Procedures for Personnel**

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an association take.

## Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, officials, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

## Legislative Responsibilities

Our association takes our legal responsibilities seriously, including:

- Failure to disclose: Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
- Failure to protect: People of authority in our association will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any personnel who are mandatory reporters must comply with their duties.

## Risk Management

In Victoria, associations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

## Regular Review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible, we work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability whilst performing policy reviews.

## Allegations, Concerns and Complaints

Our association takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:

- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Behaviour consistent with that of an abuse victim is observed
- Someone else has raised a suspicion of abuse but is unwilling to report it
- Observing suspicious behaviour.

## **Contacts**

Please contact the association welfare office at [welfare@wyndhambasketball.com](mailto:welfare@wyndhambasketball.com) to request more information, ask questions or report an incident or concern.

## **Attachments**

Attachment 1: Promoting Good Practice

Attachment 2: Screening Requirements

## ATTACHMENT 1: PROMOTING GOOD PRACTICE

This attachment will help you identify what is meant by good practice and poor practice.

### 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 have to be supervised 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. This 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
- 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 with children on social media platforms
- Taking unauthorised photographs of children (please read the Wyndham Basketball Association policy on precautions to be taken while photographing/filming 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 situation e.g. transporting a child in your car, the tasks should only be carried out with the full understanding and consent of the parent/care 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.

## ATTACHMENT 2: SCREENING REQUIREMENTS

As required by the Basketball Victoria Member Protection By-Laws, this attachment sets out the screening process for people in our association who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

The Wyndham Basketball Association will:

- 1) Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
- 2) Obtain a completed Member Protection Declaration (MPD) from all people who are identified in the above step and keep it in a secure place.
- 3) Provide an opportunity for a person to give an explanation if a MPD isn't 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.
- 4) Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
- 5) Make sure that the person being interviewed/screened has a valid Working with Children Check (WWC) issued by the Victorian government. Our organisation recognises two (2) exceptions to the Working with Children Check – police officers and teachers. These personnel will not be required to have a Victorian WWC for the positions identified in Step 1.