



CHILD SAFETY and WELLBEING POLICY

@SportsFocus83

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Child Safety and Wellbeing Policy

Purpose

From 1 July 2022, the Victorian State Government introduced the new eleven (11) Child Safe Standards. These new Standards were introduced to bring the state into line with the National Principles around child safety and were an update from the previous seven (7) standards that existed in Victoria.

The safety of **all** children is of paramount importance to everyone associated with Sports Focus. We are, and always will be, committed to the safety, participation and empowerment of **all** children.

Sports Focus has a **zero tolerance** to child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

Child Safety and Wellbeing sits at the very heart of our organisational core values of Trust and Respect. We do this by building trust and respect with all children by giving them a voice on all matters that directly and/or indirectly impact them. They are respectfully consulted on matters relating to program development and delivery to ensure participation opportunities being offered are provided in a safe and inclusive environment and reflective of their preferred way of participating.

The Standards now address the challenges associated with online child safety as these services continue to grow. It is incumbent upon all at Sports Focus to undertake an appropriate risk assessment when facilitating program development and delivery that involves the participation of children, as online platforms can frequently change their privacy and other settings. It is imperative for us to keep abreast of these developments and to ensure the community sport sector is kept informed of these developments in a timely manner.

The community sport sector is run by volunteers. Volunteers who undertake roles they can be either ill-equipped or not supported to do. They are parents, carers, grandparents, past players, or passionate community members. As a respected leader in the sector, the major role of Sports Focus with regards to child safety and wellbeing is to ensure community sporting clubs are aware of their compliance requirements and that they have

the appropriate tools/resources/processes in place to ensure a safe environment for children.

There are three (3) guiding principles that organisations must consider when implementing the standards:

- The cultural safety of Aboriginal children
- The cultural safety of children from culturally and/or linguistically diverse backgrounds (CALD).
- The safety of children with a disability

Sports Focus will consider these guiding principles in the development and delivery of all its services to the community.

Scope

Sports Focus is committed to creating and promoting a culture of child safety, and recognises that protecting and empowering children, along with preventing and responding to child abuse is an organisation-wide responsibility.

The implementation and compliance to this policy directly covers all Sports Focus employees, directors, contractors, volunteers and any other organisations and/or service deliverers that has direct involvement in the development and delivery of Sports Focus services/programs.

Definitions

Aboriginal Child – a child or young person up to the age of 18 years who is of Aboriginal or Torres Strait Islander descent, identifies as Aboriginal or Torres Strait Islander, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.

Child from CALD background – A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home, or because of their parent’s identification on a similar basis.

Child with a disability – Use of the term ‘disability’ is consistent with that in the Disability Act 2006. In this context, the use of the word ‘disability’ incorporates any physical,

sensory, intellectual disability, acquired brain injury or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any stage of life. Some disabilities may be obvious, whilst others are hidden.

Abuse – In this context abuse is an act which endangers a child's health, wellbeing and/or development. It can be a single event or a series of traumatic events. It includes, but is not limited to;

- Physical abuse
- Sexual abuse
- Psychological/Emotional abuse
- Neglect
- Grooming
- Exposure to family violence

Sports Focus – The trading name of the Victorian incorporated associated legally known as; Loddon Campaspe Sports Assembly Incorporated.

Child or Children – person or persons up to 18 years of age.

Employee – individuals employed by Sports Focus to undertake program delivery in accordance with established guidelines and governed by the organisation's policies and procedures.

Directors – Individuals elected or appointed to the Sports Focus Board of Management for the purpose of governing the organisation in accordance with its Rules and good governance practices.

Volunteers – Individuals who freely give of their time to support the work of Sports Focus.

Duty of Care – The obligation of Sports Focus employees, directors, contractors and volunteers to take reasonable steps to protect child/ren from the risks of injury that are reasonably foreseeable.

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.

Reasonable belief – A reasonable belief is not the same as having proof. A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds. A person forms a ‘reasonable belief’ that a child needs protection, or their safety or wellbeing is at risk when:

- They are more likely to accept rather than reject their suspicion; and
- The belief is formed through disclosures, observations or other information of which they have become aware.

Mandatory Reporter – a person who is legally required to make a report to the Department of Families, Fairness and Housing (DFFH) or the Police if they form the belief on reasonable grounds that a child is need of protection. It includes, but is not limited to; teachers, principals, registered psychologists, nurses, doctors and midwives.

The Standards

The eleven (11) Standards are;

1. Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
3. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4. Families and communities are informed and are involved in promoting child safety and wellbeing.
5. Equity is upheld and diverse needs respected in policy and practice.
6. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7. Processes for complaints and concerns are child focused.
8. Staff and volunteers are equipped with knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
9. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10. Implementation of the Child Safe Standards is regularly reviewed and improved.

11. Policies and procedures document how the organisation is safe for children and young people.

Policy

- i. Sports Focus is committed to providing the highest level of safety for everyone in the community. This includes protecting an individuals' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of individuals, particularly children and delivering its activities while acting in the best interests of children.
- ii. Specifically, Sports Focus considers that the health, safety and wellbeing of children take priority over all other competing considerations. Sports Focus considers that this is necessary to ensure the health, safety and welfare of everyone and protect the image and reputation of community sport, and its participants.
- iii. Sports Focus 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.
- iv. Child protection is a shared responsibility between Sports Focus, its employees, directors, contractors, volunteers, and members of the Sports Focus community. Everyone that participates in Sports Focus's activities has a duty of care for the protection of children, and reporting information about child abuse.
- v. Sports Focus supports the active participation of all children. We listen 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).
- vi. Sports Focus 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.

- vii. Sports Focus promotes fairness and consideration for all employees, directors, contractors, volunteers and participants. For further details please refer to the (Sports Focus Member Protection Policy.

Related Documents and Legislative Requirements

This Policy must be read in conjunction with:

- The laws of the Commonwealth and Victoria (as amended from time to time) including but not limited to:
 - Children, Youth and Families Act 2005 (Vic)
 - Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)
 - Crimes Act 1958 (Vic); and
 - Working with Children Act 2005 (Vic)

Sports Focus policies and procedures, including but not limited to:

- Privacy Policy;
- Sports Focus Rules/Constitution;
- Code of Professional Conduct Policy;
- Sports Focus Board Code of Conduct;
- Sexual Harassment Policy;
- Member Protection Policy;
- Discipline Action Policy;
- Internet and Email Policy;
- Risk Management Policy; and
- Social Media Policy;

Procedure

Recognising and Reporting Child Abuse

A person may, while participating in activities sanctioned by Sports Focus form a belief, on reasonable grounds, that a child needs protection from child abuse.

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. If a person has a general safety concern for a child or young person, please contact Child Protection on 13 12 78.

Mandatory Reporters

- 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 Families, Fairness and Housing where they have formed a belief, on reasonable grounds, that a child needs protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.
- 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.

Reasonable grounds for belief

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

- The child is in need of protection;
- The child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
- The child's parents are unable or unwilling to protect the child.
- 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.

You will have reasonable grounds to notify if:

- A child states that they have been physically or sexually abused;
- A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);

- Someone who knows a child states that the child has been physically or sexually abused;
- 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
- Signs of abuse lead to a belief that the child has been physically or sexually abused.

Voluntary Reporters

- 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, DFFS or the Commissioner for Children & Young People (CCYP).

Reporting Child Sexual Abuse

- 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.

Sports Focus Approach to Reports of Abuse

Sports Focus supports and encourages a person(s) to make a report to the Police, CCYP or DFFS, if they form a belief on reasonable grounds that a child needs protection, or they are concerned about the safety, health or wellbeing of a child.

1. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or voluntary) will be supported by Sports Focus, and will not be penalised by Sports Focus for making the report.
2. 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 one of Sports

Focus' Member Protection Information Officers (MPIO) for guidance and information. If in doubt, ask for assistance.

3. If an allegation is made against a member of staff or volunteer, Sports Focus will follow the reporting procedure outlined in the Sports Focus Child Safety and Wellbeing policy and take all steps to ensure that the safety of the child and other children is paramount.
4. Sports Focus 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.
5. Sports Focus will cooperate with the directions of the Police, CCYP and/or DFFS in relation to any investigation conducted by these authorities.
6. Sports Focus will keep a register of any allegations regarding inappropriate conduct.

Roles and Responsibilities of Personnel Protecting Children

Personnel involved in protecting children include the board, employees, contractors and volunteers within Sports Focus. Those people have responsibilities in relation to protection of children and are expected to:

- a) Understand the rights of children, as appropriate to their role;
- b) Respect the cultural and religious practices of families who access Sports Focus's services, programs or events;
- c) Understand and appropriately respond to the needs of children with developmental delays or disabilities;
- d) Appropriately act on any concerns raised by children;
- e) Understand the definitions, indicators and impact of child abuse;
- f) At all times, know and follow regulations in relation to the care of children and follow the Sports Focus Code of Professional Conduct policy;
- g) Co-operate with police and/or other formal investigations to the best of their ability; and
- h) Not harm or exploit children who access Sports Focus's services.
- i) Sports Focus will provide trained MPIO officers that will be the primary point of contact for all concerns related to child safety.

Recruitment and Screening

The minimum standard for background checks of directors, employees, contractors and volunteers of Sports Focus is the law as it applies in Victoria.

Sports Focus undertakes a comprehensive recruitment and screening process for all directors, employees, contractors and volunteers which aims to:

- Promote and protect the safety of all children who participate in activities that Sports Focus has responsibility;
- Identify and recruit the safest and most suitable candidates who share Sports Focus's values and commitment to protect children; and
- Prevent a person from working at Sports Focus if they pose an unacceptable risk to children.

Sports Focus requires directors, employees, contractors and volunteers to pass the recruitment and screening process prior to commencing their engagement with Sports Focus.

As part of the screening and recruitment process, a candidate/applicant must provide appropriate evidence (e.g. Working With Children Check (WWCC) and/or Police check) to show that they are suitable to work with children and young people in a recreational setting.

Sports Focus requires that:

- All Sports Focus employees, directors and contractors require or acquire a valid WWCC; and

The following key event personnel must have a valid WWCC:

- Those paid by Sports Focus for their services;
- Volunteers with regular roles with Sports Focus;
- Relevant contractors who may have unsupervised access to children; and
- Anyone else who Sports Focus employees feel requires a WWCC due to the nature of the work that they are undertaking for Sports Focus.

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

Sports Focus will record the details of the WWCC and provide reimbursement to the candidate/applicant for any associated expenses incurred in the procuring of the Check.

Sports Focus will exercise discretion and may require candidates/applicants to provide a Police Check in accordance with the law and as appropriate, before they commence their engagement and during their time with Sports Focus in regular intervals.

Sports Focus will undertake at least two thorough reference checks prior to engaging any personnel.

Once engaged, Sports Focus will provide employees and contractors with access to this policy to which the employees and contractors must review and acknowledge their understanding of this policy via the nominated human resource information platform.

Risk Management Approach

- Child safety and wellbeing is a part of Sports Focus's overall risk management framework.

Policy Breaches

- 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 Sports Focus's Disciplinary Action policy, Member Protection Policy and/or Grievance procedure outlined in the Sports Focus Rules.

Policy Promotion

- This policy will be made available via the Sports Focus website to all who wish to view it.
- This policy will be made available to all employees and contractors via Sports Focus's nominated human resource platform.
- This policy will be communicated to all directors via the Sports Focus nominated governance platform.

Record Keeping

- Sports Focus will retain records of reports of child abuse and complaints about child safety.
- In maintaining records of reports about child safety, Sports Focus will maintain confidentiality and privacy for children and families in accordance with legislation.
- Sports Focus will appropriately note identified risks to child safety through the record keeping process and will incorporate those into its risk management plan.

Review Process

- This policy will be reviewed by the Sports Focus Board of Management biennially in accordance with its organisation policy review plan.
- If you would like to provide Sports Focus with any feedback or suggestions to improve this policy, please contact Stuart Craig at: stuartc@sportsfocus.com.au
- In addition to the regular review of this policy, recommendations for changes to the policy may be submitted to the Sports Focus Board of Management 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, e-Newsletter and other appropriate communication channels.