



STATEMENT OF COMMITMENT AND POLICY FOR CHILD PROTECTION

Policy Review Date: July 2022, next review date July 2024

Rationale/Policy Statement:

- This policy has been taken and reviewed against the information provided by Basketball Victoria, Commission for Children and Young People and Vic Sport
- Fielders Basketball Club 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.
- Fielders Basketball Club is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- Fielders Basketball Club has robust human resources and recruitment practices for all staff and volunteers.
- Fielders Basketball Club 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.

Our Children

This policy is intended to empower children who are vital and active participants at Fielders Basketball Club. 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 at Fielders Basketball Club, 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

Child Protection Policy

1. Introduction

Everyone who participates in Fielders Basketball Club activities is entitled to do so in an enjoyable and safe environment. Fielders Basketball Club 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.

Fielders Basketball Club 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 Fielders Basketball Club 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 – Organisations, 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.

1.1 Policy Statement

Fielders Basketball Club is committed to the following:

- The 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 Fielders Basketball Club volunteers who work with children will be recruited with regard to their suitability for that responsibility, and will be provided with guidance in good practice and child protection procedures
- Working in partnership with parents and children is essential for the protection of children

2. 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 volunteers 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 any child.

Please read the information below to help you identify good practice and poor practice.

3. Children's Rights to Safety and Participation

Fielders Basketball Club 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.

Fielders Basketball Club 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 at Fielders Basketball Club, 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

4. Identify and Analyse Risk of Harm

Fielders Basketball Club 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 organisation 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.

5. Ensure that Adults and Children Adhere to the Codes of Conduct

Fielders Basketball Club will ensure that all adults are aware of and adhere to the organisation's Codes of Conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation 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.

6. Training and Supervision

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

Our organisational culture aims for all 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 provide support for volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We support our volunteers through open communication and 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 volunteers will be supervised and mentored regularly. They are invited to discuss concerns with an executive committee member, to ensure they understand our organisation'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 this organisation'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.

7. Fielders Basketball Club Welfare Officer

It is not the responsibility of anyone working or volunteering for Fielders Basketball Club 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 and/or suspicions of abuse occurring within our organisation's activities and to allegations and/or suspicions that abuse is taking place elsewhere.

Fielders Basketball Club will ensure that the committee appoints a Welfare Officer. In the absence of a nominated Welfare Officer, the President and/or Vice President will be responsible to look over matters concerning child safety and abuse. We expect our members and volunteers to discuss any concerns that they may have about the welfare of a child IMMEDIATELY with the nominated welfare officer. The club's welfare officer will ensure that the concerns/incident reported to them remain confidential and that the identity of the person reporting the concern/incident is not revealed, unless required by law or previous approval has been granted.

The club's welfare officer will be required to report all incidents noted by them to any appropriate organisations (eg. police, child protection, child first, orange door, Basketball Victoria, Casey Basketball) and will work closely with them to achieve the best possible outcome for the child.

8. Screening and Recruitment

Fielders Basketball Club 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.

As required by the Basketball Victoria Member Protection By-Laws, this section sets out the screening process for people in our club who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years. Our club 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. See Appendix C of this Policy.
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 as they have already been deemed by higher authorities as having suitable clearances for working with children. However, these personnel will need to provide evidence of their current employment eg. VIT registration, or letter from workplace

We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our organisation 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 when registering as a coach or team manager on PlayHQ. Please see the Working with Children Check website for further information.

9. Induction and Training

A committee member will ensure that they connect with each coach and team manager at the commencement of their first season of training, or as soon as is reasonably practicable. During this time there will be an opportunity to address any concerns or identify gaps in knowledge and/or understanding, as well as to clarify the responsibilities and procedures in line with this Policy.

Fielders Basketball Club encourages coaches and team managers to safeguard themselves by:

- Analysing their own practice against what is deemed good practice, and to ensure their practice is likely to protect them from false allegations
- Requesting feedback from their peers, parents, children and/or the committee and responding professionally to it
- Recognising their responsibilities and reporting any concerns about suspected poor practice and/or abuse
- Responding to concerns expressed by a child
- Working safely and effectively with children

10. 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.

Our club's wellbeing officer will table all allegations of abuse and safety concerns, including investigation updates and these will be recorded within the committee minutes ensuring privacy is upheld. Identifying information will be stored in accordance with the clubs policies. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we will provide updates to the children and families who raised the issue, on progress and any actions we as an organisation take. The greater community will be briefed if deemed necessary by the committee.

11. 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.

12. Legislative Responsibilities

Fielders Basketball Club 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 organisation 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.

13. Risk Management

In Victoria, organisations 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.

14. 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 do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

15. Allegations, Concerns and Complaints

Fielders Basketball Club 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

Appendix A

PROMOTING GOOD PRACTICE

This information will help you identify what is meant by good practice and poor 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, meeting loyalties to others or your own/the club's reputation
- Maintain a safe and appropriate distance with players (e.g. it is not appropriate for 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/guardians 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 Club 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 volunteer
- 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
- Recognise the developmental needs and capacity of the children and do not risk sacrificing welfare in a desire for Club or personal achievements. This means avoiding excessive training or competition and not pushing them against their will
- Keep a written record of any injury that occurs, along with details of any treatment given

SIGNS OF POOR PRACTICE

The following statements 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 attached document 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 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/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 within 24 hours, to a committee member and make a written note of it. Parents should also be informed of the incident

Precautions to be Taken While Photographing Children

When photographing or filming a child or using children's images for club 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/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 the user to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse
- If unsure whether to use the photo/video or not, err on the side of caution and do not use
- Photos and videos of children are only to be stored for the length of time necessary and will be removed from personal devices of coaches/TMs when no longer required

Appendix B

PROCEDURES FOR RESPONDING TO SUSPICIONS AND ALLEGATIONS

It is not the responsibility of anyone working for our Club 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 child. This applies BOTH to allegations/suspicions of abuse occurring within our Club's activities and to allegations/suspicions that abuse is taking place elsewhere.

The information set out below explains how to respond to allegations/suspicions.

Receiving Evidence of Possible Abuse

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

It is important to respond appropriately to all raised concerns with the club's welfare officer.

If a child says or indicates that he/she is being abused, you should:

- **Stay calm** so as not to frighten the young person.
- **Reassure** the child that they are not to blame and that it was right to tell.
- **Listen** to the child, showing that you are taking them 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 they have 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 immediately to the club's welfare officer, executive committee member and/or relevant organisation (eg. Police, Child protection, Orange Door, Child First (see Appendix B)).
- **Notify** the incident to the club's welfare officer and/or President within 24 hours

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.

The club's welfare officer will support any person in documenting the following information:

- 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 incident
- 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 been 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.

Fielders Basketball Club's volunteers are not child protection experts and it is not their responsibility to determine whether or not abuse has taken place. All suspicions and allegations must be shared with professional agencies that are responsible for child protection.

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

Fielders Basketball Club expects its members to discuss any concerns they may have about the welfare of a child IMMEDIATELY with the club's welfare officer, and subsequently, to check that appropriate action has been taken.

If the nominated club welfare officer is not available, you should take responsibility, and seek advice from an executive committee member, a duty officer at your local social services department or the police. The club will support the reporter in referring the information to the appropriate department:

- If the child is in need of immediate protection for their welfare or safety the police and/or Child Protection are to be called
- If there are significant concerns for the wellbeing of a child, but it is not believed that they are at risk of significant harm, and where the immediate safety of the child will not be compromised, a referral to Child FIRST or The Orange Door will be made. Referring to Child FIRST or The Orange Door would be appropriate where families:
 - Are experiencing significant parenting problems that may be affecting the child's development
 - Are experiencing family conflict, including family breakdown
 - Are under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement
 - Are young, isolated or unsupported
 - Are experiencing significant social or economic disadvantage that may adversely impact on a child's care or development

Where there is a complaint against a volunteer, the same procedure listed above should be followed, not only to ensure the safety of the child in question, but to review if any other child may be at risk. Further to this our club will ensure that:

- The relevant agencies are involved/notified immediately eg. Police, Child Protection, Orange Door, Child First, Basketball Victoria, Casey Basketball (NB: this is not an exhaustive list and others may also need to be informed)
- The parent/carer of the child will be contacted, as soon as possible, following advice from the relevant agencies
- The President will ensure that:
 - Our direct community are informed of the breach whilst maintaining confidentiality and no judgements until the investigation is concluded
 - Our direct community have a space to air concerns and provide input on how to improve practices going forward
 - A committee member is allocated to deal with any media inquiries
 - An action plan is implemented to support the children, families, coaches and team managers

Appendix C

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 Casey Domestic Basketball competition conducted by Fielders Basketball Club
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
..... on this day of

Signature:

Before me (to be witnessed by a person qualified to take statutory declarations):