

# **Merinda Park Basketball Club**

## **Statement of Commitment to Child Protection**

Our 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.

Our Club is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Our Club has robust human resources and recruitment practices for all volunteers.

Our Club is committed to regularly training and educating our 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 and volunteers to achieve these commitments.

## **Our Children**

This policy is intended to empower children who are vital and active participants in our 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 in our 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
- ensure that children with a disability are safe and can participate equally.

## **Child Protection Policy**

### **1) Introduction**

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

Merinda Park 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 Merinda Park Basketball Club and to allow 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**

Basketball Victoria 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 Merinda Park Basketball Club volunteers 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

### **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 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 the attachment below to help you identify good practice and poor practice.

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

Merinda Park 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.

Merinda Park 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 in our 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
- ensure that children with a disability are safe and can participate equally.

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

Merinda Park 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**

Merinda Park 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 information to our volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our 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 volunteers will be supervised regularly 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) Club Welfare Officer**

It is not the responsibility of anyone working for Merinda Park 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/suspicions of abuse occurring within our organisation's activities and to allegations/suspicions that abuse is taking place elsewhere.

Merinda Park Basketball Club will ensure that a Club 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 Club welfare officer. The Club 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.

The Club welfare officer will be required to report all the incidents noted by them 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 organisation and act accordingly.

## **8) Screening and Recruitment**

Merinda Park 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.

Our organisation understands that when recruiting volunteers, we have ethical as well as legislative obligations.

We actively encourage volunteers 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](http://www.workingwithchildren.vic.gov.au) website <[www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)> for further information.

Please read the attached document which states the screening processes followed by our organisation.

## **9) Induction and Training for Personnel**

### Induction

All volunteers will receive informal induction during which:

- Their responsibilities will be clarified
- They will sign up to the organisation's Codes of Conduct and the Member Protection Declaration
- Child Protection Procedures will be provided

### Training

In addition to checks, the safeguarding process includes information to help 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

## **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 volunteers, 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 organisation take.

## 11) Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be 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

Our 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.<sup>1</sup>
- **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.<sup>2</sup>

<sup>1</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)>. <sup>2</sup>

Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence)>.

- Any personnel who are **mandatory reporters** must comply with their duties.<sup>3</sup>

## 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

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our volunteers are provided with information to deal appropriately with allegations.

We work to ensure all children, families 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<sup>4</sup>
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

<sup>3</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <[www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first)>.

<sup>4</sup> For example of behaviour, please see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): <[www.dhs.vic.gov.au/\\_\\_data/assets/word\\_doc/0005/955598/Child-safe-standards\\_overview.doc](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc)>