

Flagstaff Hill Football Club



CHILD PROTECTION POLICY

MARCH 2012

This policy has been developed to ensure that Flagstaff Hill Football Club meets the requirements of the Child Protection Act, 1993 and specifically the obligation to provide a Child Safe Environment for Children. This policy must be read in conjunction with existing Club Policies, specifically Code of Conduct Agreements for Players, Officials and Spectators, Junior Player Rotation Policy and Dealing with Complaints and Breaches of Conduct.

FLAGSTAFF HILL FOOTBALL CLUB CHILD PROTECTION POLICY

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Introduction

The Flagstaff Hill Football Club is committed to achieving success through club spirit, constant improvement and junior development. Key to this success is providing an environment for children which is safe and free from harassment, discrimination and abuse and which promotes respectful and positive behavior and values.

This policy provides a code of behavior forming the basis of appropriate and ethical conduct which everyone must abide by.

Providing a child safe environment is not simply about creating an environment free from risk or danger. It is about building an environment which is both child safe and child friendly, where children feel respected, valued and encouraged to reach their full potential.

The Flagstaff Hill Football Club is committed to ensuring that everyone associated with the Flagstaff Hill Football Club complies with the policy and a child safe environment is provided at the club.

1. Purpose of Our Policy

The main objective of our Child Protection Policy is to maintain responsible behaviour and ethical and informed decision-making by participants in this club. This policy outlines our commitment to a child's right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

2. Who Our Policy Applies To

Our policy applies to everyone involved in the club including committee members, administrators, coaches, officials, volunteers, players, parents and spectators.

3. Club Responsibilities

We will:

- Appoint a Child Safe Officer
- Implement and comply with our policy
- Promote our policy to everyone involved in our club
- Promote and model appropriate standards of behaviour at all times
- Respond to breaches or complaints made under our policy promptly, fairly, and confidentially
- Review this policy every 12 months.

Under Section 11 of the Children's Protection Act, 1993 certain groups of people are required to report to Families SA if they suspect on reasonable grounds that a child is being abused or neglected and this suspicion is formed in the course of their work. This is a legal obligation which carries a penalty if the individual fails to comply. These people are referred to as mandated notifiers, and include

Non-government organisations that provide health, welfare, education, sporting or recreational, child-care or residential services wholly or partly for children, being a person who either:

- a. is engaged in the actual delivery of those services to children*
- b. holds a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children.*

A reasonable suspicion must be based on facts, for example:

- a. a disclosure of abuse from a child*
- b. professional judgement, based on the notifier's experience and observations*
- c. disclosure by a child or an adult that a child is being abused.*

The Flagstaff Hill Football Club acknowledges its legal obligations as detailed above and will make all necessary reports to Families SA Child Abuse Report Line on 13 14 78.

The Child Abuse Report Line is a 24 hours service operated by FamiliesSA staff.

While the Flagstaff Hill Football Club has a legal obligation to make reports to the Child Abuse Report Line it should be noted that everyone has a moral obligation to report.

4. Individual Responsibilities

Everyone associated with our club must:

- Comply with the standards of behaviour outlined in our policy
- Treat others with respect
- Always place the safety and welfare of children above other considerations
- Be responsible and accountable for their behaviour
- Follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, harassment or other inappropriate behaviour.

5. Protection of Children

5.1 Child Protection

The Flagstaff Hill Football Club is committed to the safety and wellbeing of all children and young people 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. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

The Flagstaff Hill Football Club acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. The Flagstaff Hill Football Club aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

5.1.1 Codes of Conduct for Players, Officials and Spectators.

The Flagstaff Hill Football Club Player, Coach, Official and Spectator Codes of Conduct specify standards of conduct and care when dealing and interacting with children, particularly those in the Club's care. The Player Code of Conduct also addresses appropriate behaviour between children.

5.1.2 Recruit Suitable Volunteers

The Flagstaff Hill Football Club will ensure it takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

This will be achieved by obtaining Criminal History Checks from all Coaches, Assistant Coaches, Trainers and Junior Coordinators. This measure aims to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Flagstaff Hill Football Club will ensure that all criminal history reports that are obtained as part of the screening process are dealt with in accordance with the standards developed by the Chief Executive, Department for Communities and Social Inclusion.¹ (See Attachment 2)

5.1.3 Support, Train and Supervise Volunteers

The Flagstaff Hill Football Club will ensure that volunteers and employees who work with children have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

The Club will appoint a Child Safe Officer who volunteers/members may call upon for assistance. A designated Child Safe Officer provides a single contact for children, parents and volunteers to seek advice and support regarding the safety and wellbeing of children.

The Child Safe Officer may provide training for coaches, trainers, coordinators and other interested parties on their obligations and responsibilities.

5.1.4 Report and Respond Appropriately to Suspected Abuse and Neglect

The Flagstaff Hill Football Club will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The Flagstaff Hill Football Club will make all volunteers aware of their responsibilities under the *Children's Protection Act 1993* if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

If any person feels another person bound by this policy is acting inappropriately towards a child or is breaching the code'(s) of conduct set out they may make a complaint. This complaint should be made to the Club's Child Safe Officer who will act on the complaint (please refer to the procedure for this policy).

The Child Safe Officer will be available to assist any member who needs assistance in making a report to the Child Abuse Report Line.

¹ Communities and Social Inclusion (2007) *Child Safe Environments: Principles of Good Practice & Suggested Implementation Guidelines and Indicators*. Adelaide: DCSI.

5.1.5 What is Child Abuse/Neglect

Child Abuse can be but not limited to:

Physical Abuse

When a person purposefully injures or threatens to injure a child. This may include but is not limited to hitting, punching, kicking, shaking, burns, biting, pulling hair or the administration of drugs or alcohol.

Sexual Abuse

Any sexual act or threat imposed on a child. This may include but is not limited to involving a child in sexual activity, sexual suggestion, showing of pornographic material, exhibitionism and child prostitution.

Emotional Abuse

Any attack on a child's self esteem. This may include and is not limited to devaluing, ignoring, rejecting, corrupting, isolating, terrorizing or witnessing domestic violence.

Neglect

Where a child is harmed by the failure to provide basic physical and emotional needs. This includes but is not limited to inadequate supervision, inadequate nutrition, clothing or personal hygiene, inadequate health care, disregard for potential hazards, forcing a child out of home or allowing frequent truancy.

Child Abuse can be someone doing something harmful to a child or by a person failing to act to protect a child from being harmed or at risk of abuse^[A1].

6. Supervision

Members under the age of 18 must be supervised at all times by a responsible adult. Our club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 18 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

7. Taking Images of Children

The Flagstaff Hill Football Club acknowledges that in South Australia under the Summary Offences Act 1953 a person must not engage in indecent filming. Images of children and adults should not be used inappropriately or illegally.

Our club requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. Our club also requires the privacy of others to be respected and disallows the use of camera phones, videos and cameras inside showers and toilets.

8. Anti-harassment, Discrimination and Bullying

Our club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

Our club takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club.

9. Inclusive practices.

Our club is welcoming and we will seek to include members from all areas of our community.

9.1 People with a disability

Where possible we will include people with a disability in our teams and club. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

9.2 People from diverse cultures

We will support and respect people from diverse cultures and religions to participate in our club and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

9.3 Sexual & Gender Identity

All people, regardless of their sexuality, are welcome at our club. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

9.4 Girls playing in boys teams

If there is not a separate sex competition, our club will support girls playing in boys teams up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age our club will consider each request on an individual basis including looking at the nature of our sport and other opportunities to compete.

10. Responding to Complaints

10.1 Complaints

If a complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club report the behaviour to Families SA Child Abuse Report Line on 13 1478 as per Section 11 of Children's Protection Act, 1993.

10.2 Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (e.g. President) will forward details to the clubs Child Safe Officer (CSO).

By having a single point of contact when an complaint is made can ensure

- A relationship of trust is established
- The trauma experienced by the child is minimised in the telling of the abuse
- The incident is reported with the greatest possible factual accuracy
- The child understands that the issue may need to be taken further

The Child Safe Officer will:

- Listen carefully and ask questions to understand the nature and extent of the problem
- Ask what the complainant would like to happen
- Explain the different options available to help resolve the problem
- Take notes utilizing attachment 5
- Maintain confidentiality but not necessarily anonymity
- In the case of Child Abuse a report will be made to the Child Abuse Report Line as per the Club's Legal Obligation.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

11. Disciplinary Measures

Our club will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- Be fair and reasonable
- Be based on the evidence and information presented and the seriousness of the breach
- Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

- Verbal and/or written apology
- Counselling to address behaviour
- Withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club
- Suspension or termination of membership, participation or engagement in a role or activity
- De-registration of accreditation for a period of time or permanently
- A fine
- Any other form of discipline that our club considers reasonable and appropriate.

12. Appeals

The complainant or respondent can lodge one appeal against decisions or disciplinary measures imposed by our club to the Southern Football League. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

Attachment 1: SCREENING REQUIREMENTS

A criminal history assessment is a decision about whether a person is suitable to work with children based on the person's criminal history (if any) and the assessed risk to children who access services from the organisation.

The Flagstaff Hill Football Club will conduct a criminal history assessment themselves or apply to a third party (such as the State Body or Screening Unit) for an assessment and letter of clearance.

The Flagstaff Hill Football Club undertakes to follow the standards issued by the Department for Communities and Social Inclusion when conducting criminal history assessments. These Standards are outlined below.

Identifying affected positions

The Flagstaff Hill Football Club will conduct an assessment of the criminal history of every person who is, or will be, engaged to work with children in this Club.

As a first step, the Flagstaff Hill Football Club has identified all individuals and positions within the Club that involve working with children.

These positions are:

- All coaches
- Assistant coaches
- Team managers
- Trainers
- Any other Match Day Official who fit one or more of the criteria as outlined.

Procedures

The Flagstaff Hill Football Club refers to the Southern Football League procedure for Club Volunteers seeking a National Police Clearance. This Policy is available from the Club Secretary.

All New and Existing Volunteers who hold the position of Coach, Assistant Coach, Trainer or Junior Coordinator must obtain and produce National Police Clearance or "other evidence". This must be repeated every three years. Management of the National Police Clearance or "other evidence" and their renewal will be administered by the Child Safe Officer.

Accepting "other evidence"

The Flagstaff Hill Football Club will, in lieu of undertaking a criminal history assessment accept the following forms of evidence (obtained within the last three years) to assess a person's suitability to work with children.

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children.
- A Letter of clearance to work with children from a CrimTrac accredited agency: Such as the DCSI Screening Unit; Department of Education and Children's Services (DECS) or Catholic Education Office.
- An interstate working with children check, from: New South Wales, Queensland, Victoria or Western Australia.

Acceptance of any of these checks is subject to the person completing a 100-point check, to enable the Flagstaff Hill Football Club to establish the true identity of the applicant.²

The Flagstaff Hill Football Club may also at its discretion seek a statutory declaration for any *volunteer(s)* who have been citizens or permanent residents of another country other than Australia since turning 18 years of age.

Exemptions from the requirement to conduct criminal history assessments

In accordance with guidelines the Flagstaff Hill Football Club has agreed to exempt the following persons from the requirement to undertake a criminal history assessment, unless that person is also involved in a function or event conducted by the Flagstaff Hill Football Club or its affiliated associations which involves the care of children in overnight accommodation.

- A person who volunteers who is less than 18 years of age
- A person who undertakes, or a position that only involves, work that is primarily provided to adults or the community generally and is not provided to any child on an individual basis
- A person who is appointed as a police officer or is a registered teacher. (Police officers and teachers are already subject to comprehensive criminal history assessments as a prerequisite for employment).

Assessing criminal history information

In the majority of cases, a person will have no criminal history. In these cases, the assessment will be successfully completed and no further action in respect to an assessment will be required.

² A 100-point check should include one primary document such as a Birth Certificate or International Travel Document (e.g. Current Passport) or Citizenship Certificate and must include one secondary document such as a Driver's Licence, employee identification card, Centrelink card or student identification card.

Offences that indicate a risk of harm

The Flagstaff Hill Football Club believes the following categories of criminal convictions present a prima-facie *risk of harm* to children.

No person will be considered suitable to be employed, contracted, hired, retained, accepted as a volunteer, or allowed to undertake prescribed functions for the Flagstaff Hill Football Club if he or she has been convicted of:

- Murder or sexual assault
- Violence in relation to a child
- An offence relating to child pornography
- An offence involving child prostitution
- A child abuse offence, for example criminal neglect.

The following offences potentially indicate unsuitability to undertake prescribed functions.

The Flagstaff Hill Football Club believes that there can be a presumption that there is a risk of harm to children but further assessment is necessary before a decision to exclude a person can be made.

These types of criminal offences include:

- Sexually-motivated offences
- Violence offences/assault including any form of assault which has resulted in a sentence of imprisonment
- Offences relating to cruelty to animals
- Any other offences against a child (including drug offences).

In addition, other criminal offences may be relevant to specific, prescribed functions including:

- Dishonesty offences
- Serious drug-related matters
- Serious traffic offences.

None of these offences will automatically preclude an individual from being engaged to undertake prescribed functions.

Any such person will be asked to make further application to the Department Communities and Social Inclusions Screening Unit for a more thorough assessment. This cost of this screening check to be met by the applicant.

The decision of this process will be deemed to be final and binding on all parties.

Ensuring procedural fairness if a person has a criminal history

Existing staff, members and volunteers:

All existing staff, members and volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish, before the assessment is conducted.

Prior to a decision being made, the Flagstaff Hill Football Club will communicate to the applicant a pending decision not to engage them because of their criminal history and the reasons for this decision.

Volunteers may request that the final assessment be referred to the Screening Unit (if it has not already been done). Whose decision shall be final and binding.

New staff, members and volunteers:

New volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish before the assessment is conducted.

The Flagstaff Hill Football Club will communicate to the applicant a decision not to employ or engage them or to accept their application for membership. They will not be provided with the reasons for this decision.

There will be no appeal to this decision.

Records management

The Flagstaff Hill Football Club will take specific actions to store and record information obtained through conducting a criminal history assessment. This includes taking measures to ensure information is protected and confidentially stored and safeguards to protect against loss, unauthorised access, modification, disclosure or other misuse.

Criminal history information will not be retained once a decision has been made regarding the person's suitability to work with children. No criminal history information will be retained beyond three months.

The Flagstaff Hill Football Club will retain the following information regarding their decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

The attached criminal history assessment register will be used to record this information.
(See attachment three).

FLAGSTAFF HILL FOOTBALL CLUB CHILD PROTECTION POLICY

**Attachment 2: CRIMINAL HISTORY ASSESSMENT FORM
(TO BE USED IN CONJUNCTION WITH ATTACHMENT ONE)**

Name of person	
Description of position that the person occupies or will occupy	
<p>The person provided, or consented to providing, acceptable evidence relating to their criminal history</p> <p><i>(For example, an original or certificate copy report of his/her police certificate, a letter of clearance or an interstate working with children clearance.)</i></p>	<p>Yes Record type of evidence accepted (e.g. police certificate, letter of clearance, interstate clearance)</p> <p>No A person who does not provide evidence, or consent to evidence being obtained, is precluded from engagement to work with children in a prescribed position.</p>
Date evidence requested	
Date evidence received	
The police certificate or other evidence disclosed no convictions	
The police certificate or other evidence disclosed a conviction requiring further assessment	
The police certificate or other evidence disclosed convictions that indicate a prima-facie risk of harm	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>
The police certificate or other evidence disclosed convictions that potentially indicate a unsuitability to undertake prescribed functions	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>

Name of Assessor (s): _____

Position/Title: _____

Signature: _____

Flagstaff Hill Football Club

Attachment 3: CRIMINAL HISTORY ASSESSMENT REGISTER

Name	Position	Police Certificate Reference Number (or other acceptable evidence)	Date of certificate or other evidence*	Date for renewal**

* This date refers to the day that the police certificate or other evidence was received and not the day the assessment was completed.

** The date of renewal is a maximum of three years from the day the police certificate or other evidence was issued.

Attachment 4: Process for dealing with members charged with, or under investigations for, a criminal offence

This process sets out the procedure that Flagstaff Hill Football Club will follow in the event that it becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence.

Guiding Principle

The paramount consideration is the rights, interests and wellbeing of children and their protection from harm.

Procedure

Risk Assessment

In the event that Flagstaff Hill Football Club becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence, the managing authority of Flagstaff Hill Football Club or senior appointed officers shall make a risk assessment of the risk of harm to children and consider taking protective action.

The risk assessment will:

Be conducted in accordance with the guidelines and principles set out under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*;

Recognise that an investigation or charge does not mean that the person is guilty and that the matter needs to be resolved through proper legal avenues;

Consider all matters on an individual basis and include an assessment of all relevant circumstances;

Provide the member an opportunity to make submissions on whether he or she had been charged with an offence warranting some action, and what action should be taken;

Be made in accordance with the principles of natural justice and procedural fairness. Assessment procedures will be transparent, documented and consistently applied;

Not compromise any police investigations or evidence.

Outcome

Where the outcome of the risk assessment is that protective action is necessary, the Flagstaff Hill Football Club may:

- Control or supervise contact between the member and children
- Prevent contact between the member and children
- Remove the member from duties until the outcome of the investigation or charge is known;
- Take any other action that is necessary and reasonable in the circumstances.

Voluntary removal of member pending outcome of charge or investigation

Where the risk assessment determines that protective action is necessary against a member to safeguard and protect children, Flagstaff Hill Football Club will give the member the opportunity to voluntarily remove him or herself from activities until the outcome of the charge or investigation is known.

Resolution to suspend or remove member

In the event that the member will not voluntarily remove him or herself from activities until the outcome of the charge or investigation is known, the Flagstaff Hill Football Club will put forward a resolution to the committee to suspend or temporarily remove the member.

The outcome of the resolution will be recorded in the committee's minutes and then implemented.

The outcome recorded in the committee minutes will not contain unnecessary information relating to the investigation or charge or identify (directly or indirectly) any junior members.

Glossary

Relevant criminal offence: means an offence that indicates a prima-facie risk of harm or that potentially indicates unsuitability to work with children.

Natural justice: means observing the following principles:

- people are entitled to be informed of allegations made against them
- all persons affected by a decision should be given the relevant information to enable an informed submission to be made to the decision-maker or person subsequently reviewing a decision
- during the review of a decision, all persons affected by a decision should have an opportunity to put their case, relevant arguments should be heard, and relevant information should be accessible to all parties
- decision-makers act fairly and impartially.

Offence that indicates a prima-facie risk of harm: has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Offence that potentially indicates unsuitability to work with children: Has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Member: means a member of the Flagstaff Hill Football Club.

Risk assessment in the context of child protection 'refers to a process of evaluating the information received to reach a decision about the risk of harm a person may pose to children'. (*Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*).

FLAGSTAFF HILL FOOTBALL CLUB CHILD PROTECTION POLICY

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination</p> <p><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation</p> <p><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision</p> <p><input type="checkbox"/> Other</p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	