



## Hockey Albury Wodonga Member Protection Policy

### 1. Purpose of the Member Protection Policy and its scope

- 1.1. The purpose of this policy is to:
  - a) Provide a statement of Hockey Albury Wodonga's commitment to Child safety; and
  - b) Set out Hockey Albury Wodonga's Child safe processes.
- 1.2. This policy applies to Hockey Albury Wodonga's Members, Staff, Volunteers and Visitors and any individual representing or passing themselves off as being a Member, Staff, Volunteer or Visitor;
- 1.3. Child safety is a shared responsibility between Hockey Albury Wodonga and its Members, Staff, Volunteers, Visitors, and any individual representing themselves or passing themselves off as being a Member, Staff, Volunteer or Visitor. Everyone who participates in Hockey Albury Wodonga's activities is responsible for the care and protection of Children, and reporting information about alleged Child Abuse or risk of harm concerns about a child or young person.
- 1.4. Should anyone wish to make any enquiries in relation to this policy, please contact the Operations Manager via email at [admin@haw.net.au](mailto:admin@haw.net.au)

### 2. HAW Statement of Commitment to Child Safety

- 2.1. Hockey Albury Wodonga has zero tolerance of Child Abuse.
- 2.2. Hockey Albury Wodonga:
  - a) Actively works to listen to, respect and empower Children, and to encourage their participation in Hockey;
  - b) Has established policies and procedures that seek to protect Children from abuse, and will take all allegations and concerns very seriously and will respond to them consistently, in line with relevant policies and procedures, including this policy;
  - c) Is committed to promoting cultural safety for Aboriginal Children, cultural safety for Children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for Children with a disability; and
  - d) Is committed to regularly training and educating its Members, Staff and Volunteers about Child Abuse risks.

### 3. Definitions

- 3.1. **HAW** means Hockey Albury Wodonga Inc.
- 3.2. **Aboriginal Child/Children** means a person under the age of 18 years who:
  - a) Is of Aboriginal or Torres Strait Islander background; and
  - b) Is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
- 3.3. **Child/Children** means a person who is under the age of 18 years.

- 3.4. **Child abuse** constitutes any act committed against a Child involving:
- a) **Physical abuse:** occurs when a Child has suffered, or is likely to suffer, significant harm as a result of a physical injury, such as a non-accidental physical injury.
  - b) **Sexual abuse:** occurs when a Child has suffered, or is likely to suffer, significant harm as a result of sexual abuse, such as when a Child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.
  - c) **Serious emotional or psychological abuse:** occurs when a Child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the Child's emotional or intellectual development is or is likely to be significantly damaged; and
  - d) **Serious neglect:** occurs when a Child's physical development or health has been, or is likely to be significantly damaged. It refers to an omission, such as depriving a Child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.
- 3.5. **Child protection** means any responsibility, measure or activity undertaken to safeguard Children from harm.
- 3.6. **Children from culturally and/or linguistically diverse backgrounds** means 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' identification on a similar basis.
- 3.7. **Board of Management** means the governing body of the HAW
- 3.8. **Mandatory Reporter** means a person who is legally required to make a report to the Department of Human Services or the Police if they form a belief on reasonable grounds that a Child is in need of protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.
- 3.9. **Member Protection Information Officer** means 'HAW's representative' appointed to the role by the Board of HAW.
- 3.10. **Member** means what it does under the Constitution of the HAW and includes Board members, Members of HAW affiliated clubs, players, Staff, coaches, team managers, umpires, officials, Volunteers and parents of players.
- 3.11. **Sexual offence** means a criminal offence involving sexual activity or actions of indecency or any act which exposes a Child to, or involves a Child in, sexual activity or matters beyond his or her understanding or contrary to accepted community standards. Sexually offensive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the Child to or involving the Child in pornography. It includes Child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a Child (or the Child's carer, family or supervisor) to lower the Child's inhibitions and prepare them for engagement in a sexual offence.
- 3.12. **Staff** means any person who is engaged by HAW to provide a service or supply goods.
- 3.13. **Visitor** means any person who is not a Member, Staff or Volunteer but who is, for any reason, visiting the HAW including spectators, family members and friends of players,

visiting umpires and officials, and members of other clubs.

3.14. **Volunteer** means a person who is performing duties on a voluntary basis for the benefit of HAW.

#### **4. HAW Child Safety Processes: Recognising and Reporting Child Abuse**

4.1. A person may, in the course of participating in the sport or other events, activities or the day to day operations of HAW or in carrying out their work, form a belief on reasonable grounds that a Child is in need of protection from Child Abuse.

4.2. If a person is concerned about an immediate risk to a Child's safety, the person must phone "000" as soon as practicable.

4.3. If a person forms a reasonable belief or a belief on reasonable grounds that a Child is in need of care and protection, not falling within the terms in clause 4.2 above, the person may report the belief to any Member, Staff or Volunteer, including the HAW President or the HAW Member Protection Information Officer.

4.4. If a person is a Mandatory Reporter, then he or she must report as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable ground for the belief.

4.5. A reasonable belief is formed if a responsible person believes that:

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

4.6. To form a 'reasonable belief' or a 'belief on reasonable grounds', all the relevant facts should be considered objectively.

4.7. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

4.8. Reasonable grounds to notify exist if:

- a) A Child states that they have been physically, psychologically or sexually abused; in which case it is not necessary to question the Child further;
- b) A Child states that they know someone who has been physically, psychologically or sexually abused -sometimes the Child may be talking about themselves;
- c) Someone who knows a Child states that the Child has been physically, psychologically or sexually abused;
- d) Professional observations of the Child's behaviour or development leads a professional to form a belief that the Child has been physically, psychologically or sexually abused or is likely to be abused; or
- e) Signs of abuse lead to a belief that the Child has been physically, psychologically or sexually abused.

4.9. If a person receives information that leads them to form a reasonable belief that a Sexual Offence has been committed in Victoria, NSW or ACT 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 may be subject to a penalty of imprisonment.

4.10. HAW supports and encourages a person to make a report to the Police or DHHS if they form a belief on reasonable grounds that a Child is in need of care and protection, or they are concerned about the safety, health or wellbeing of a Child.

4.11. 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 the HAW President or the HAW Member Protection Information Officer for guidance and information.

## **5. HAW Child Safe Processes: HAW Response to a Report of Child Abuse**

5.1. On receipt of a report or allegation of Child Abuse, HAW will:

- a) Refer the report or allegation to the Police where there is a concern about an immediate risk to the Child's safety;
- b) Withdraw the accused person from active duty where they are a HAW Member, Staff or Volunteer.
- c) Inform the Member Protection Information Officer to determine how to appropriately investigate the report or allegation in accordance with procedural fairness;
- d) Deal with the report or allegation in a confidential manner to the greatest extent possible;
- e) Cooperate with the Police and/or DHHS in relation to any investigation conducted by these authorities; and

## **6. HAW Child Safe Processes: Responsibilities of the Board of Management**

6.1. The HAW Board of Management will ensure:

- a) They take a leadership role in ensuring Child safety is of paramount importance within HAW;
- b) They have read and understand this policy, as it is updated from time to time;
- c) That this policy and any updated policy is published at a location that is easily accessible by all HAW Members, Staff, Volunteers and Visitors;
- d) That the HAW has a process for implementing the requirement for Working With Children Checks in clause 10.1; and
- e) That Child safe risks are adequately identified and managed at Committee level.

## **7. HAW Child Safe Processes: Training and Education**

7.1. HAW will use best endeavours to ensure that:

- a) The Committee, Members, Staff and Volunteers participating in 'child related work', including people who are working with junior players in junior and senior teams, and the HAW Member Protection Information Officer undertake training in relation to identifying Child Abuse risks and how to manage them, understanding Aboriginal and other cultures and the importance of ensuring culturally safe environments, and the importance of understanding safe environments for Children with a disability.
- b) It provides ongoing Training for the Committee, Members, Staff and Volunteers participating in direct 'child related work', including people who are working with junior players in junior and senior teams, and the HAW Member Protection Information Officer.

## **8. HAW Child Safe Processes: Specific Guidance for Juniors**

- 8.1. **Change Rooms and Toilets** - Adult Members, Staff, Volunteers and Visitors, regardless of gender, should only enter change rooms and toilets with a Child or Children if accompanied by another adult. Prior to entering change rooms or toilets, every such person should notify the people in the change room or toilet of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians in a room with their own Child, unless other Children are present in the change room at the same time.
- 8.2. **Hotel rooms and other accommodation and General Proximity (if applicable)** - No Member, Staff, Volunteer or Visitor should be alone in the room of a Child or should separate the Child from the group by a noticeable distance without the presence of another adult. The doors should always be open and the Member, Staff, Volunteer or Visitor within sight. Should it be necessary for a Member, Staff, Volunteer or Visitor to be alone with a Child, the team manager or other responsible adult must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians in a room with their own Child, unless other Children are present in the change room at the same time.
- 8.3. **Travel** - All persons, including team members, coaches and officials over 18 years of age retain an overriding responsibility for the safety and welfare of all Children they accompany during team travel activities.
- 8.4. **Sexual Relationships**– It is strictly prohibited for any Member, Staff, Volunteer or Visitor or any other person over the age of 18 and acting in a position of responsibility, including when they are travelling with a team that includes a Child or Children, to engage in any inappropriate conduct of a sexual nature with any Child. Inappropriate conduct of a sexual nature by any such person includes: inappropriate conversations of a sexual nature, obscene language of a sexual nature, and/or suggestive remarks or actions.
- 8.5. **Coaches and Team Managers** - All coaches and team managers must ensure that any physical contact with Children that occurs in relation to coaching or team management is appropriate for the situation. It is strongly recommended that:
  - a) Coaches and team managers ensure that there are other adults present whenever coaching;
  - b) Coaches and team managers take care to explain the procedure to the Child prior to beginning any physical contact; and
  - c) Coaches and team managers obtain consent from the child prior to beginning any physical contact.

## 9. HAW Child Safe Processes: Recruitment

- 9.1. The minimum standard for background checks of applicable HAW Members, Staff and Volunteers is the law as it applies in Victoria, NSW or ACT as appropriate. HAW may, in its discretion, require additional reference checks, as it thinks fit.
- 9.2. HAW will use best endeavours to undertake a comprehensive recruitment and screening process for Staff before their engagement and for Volunteers, which aims to:
  - a) Promote and protect the safety of all Children who participate in the activities of HAW;
  - b) Identify and recruit the most suitable candidates who share HAW values and commitment to protect Children; and
  - c) Prevent a person from being engaged by HAW if they pose an unacceptable risk to

Children.

- 9.3. As part of the screening and recruitment process, an applicant must provide appropriate evidence, including but not limited to a WWCC or other state equivalent and/or Police check, to show that they are suitable to work with Children and young people in a recreational setting.

## **10. HAW Child Safe Processes: Working With Children Check (WWCC)**

10.1. The following people must have a valid WWCC or other State equivalent and/or a Police Check:

- a) Committee members;
- b) All HAW coaches, team managers, co-ordinators and mentors involved in junior teams and in senior team which include Children;
- c) Members/volunteers participating in 'child related work'
- d) Staff participating in 'child related work'; and
- e) Anyone else required by HAW to obtain a WWCC due to the nature of the work that they are undertaking for HAW.

10.2. HAW will provide all Members, Staff, Volunteers and Visitors with access to this policy, for example by publishing it on the club's website or displaying in the club house.

## **11. HAW Child Safe Processes: Breach of this Policy**

11.1. HAW takes any breach of this policy very seriously. In determining an appropriate sanction for a breach HAW may refer to and adopt any process or sanction from any of the following, depending upon the nature and severity of the breach:

- a) HAW Member Protection Policy;
- b) Any other relevant HAW policy.
- c) HAW Constitution:

## **12. Privacy**

12.1. HAW is committed to respecting the privacy of all individuals, including of Members, Staff, Volunteers, Visitors, and Children, unless there is a risk to someone's safety.

## **13. Review Process**

13.1. The HAW will review this policy every two years. Updated policies will be circulated via the HAW webpage, or other accessible location.

13.2. Feedback in relation to this policy can be provided to the Operations Manager by sending an email to [admin@haw.net.au](mailto:admin@haw.net.au)

## **14. Related Documents & Legislative Requirements**

14.1. This policy should be read in conjunction with:

- a) The law of the Commonwealth and of Victoria, NSW and ACT including but not limited to:
  - i. *Children, Youth and Families Act 2005* (Vic);
  - ii. *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* (Vic);
  - iii. *Crimes Act 1958* (Vic); and

- iv. *Working with Children Act 2005* (Vic)
  - v. The Children and Young Persons (Care and Protection) Amendment Act 2018 (NSW)
  - vi. Children and Young People Act 2008 (ACT)
  - vii. Crimes Act 1900 (NSW)
  - viii. Capital Territory Crimes Act 1900 (ACT)
  - ix. Child Protection (Working with Children) Act 2012
  - x. The Working with Vulnerable People (Background Checking) Act 2011 (ACT)
- b) HAW policies and procedures, including but not limited to :
- i. Privacy Policy; (To be approved) We don't have one (yet)
  - ii. HAW Constitution:
  - iii. HAW Member Protection Policy; (To be approved)
  - iv. Hockey Victoria Child Safety Policy; and
  - v. Hockey Victoria's Rules and Regulations.