

CHILD SAFE AND WELLBEING POLICY

Mildura and District Little Athletics Centre CHILD SAFE AND WELLBEING POLICY

POLICY NAME	Child Safe and Wellbeing Policy
DATE OF ISSUE	13/6/2022
POLICY COVERAGE	All participants, parents, spectators, contractors, officials, coaches, judges and staff throughout all Mildura and District Little Athletic Centre events and activities.
DATE OF REVIEW	13/6/2024
CONTROLLING BODY	Mildura and District Little Athletics Centre

INTRODUCTION

Mildura and District Little Athletic Centre acknowledge and respect to the Latji Latji People, the Traditional Owners of the land on which we operate. We acknowledge and respect their contributions, experience and knowledge as First Nations people. We pay our respects to their Elders, past and present.

Mildura and District Little Athletic Centre are committed to ensuring that children and young people who participate in its activities have a safe and happy experience. Mildura and District Little Athletic Centre support and respect children, young people, staff, volunteers and participants.

The aim of Mildura and District Little Athletic Centre Child Safe Policy is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints will be treated seriously and fully investigated and handled with maximum confidentiality and discretion.

Should a person wish to make any enquiries in relation to this Policy, please contact Mildura and District Little Athletic Centre Club President: Steve Erlandsen mil@salaa.org.au

POLICY STATEMENT

Mildura and District Little Athletic Centre are committed to providing the highest level of membership service. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering the (Organisation)'s activities, while acting in the best interests of children in the sport.

Specifically, **Mildura and District Little Athletic Centre**, considers that the health, safety, and well-being of children take priority over all other competing considerations. **Mildura and District Little Athletics Centre** considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, **Mildura and District Little Athletic Centre** and its affiliate members.

Mildura and District Little Athletic Centre has a zero-tolerance approach to child abuse and is committed to promoting and protecting children from abusive behaviour, bullying and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability, or sexual orientation etc.

Child protection is a shared responsibility between **Mildura and District Little Athletic Centre**, associates, parents/guardians, coaches, spectators, volunteers and members of the **Mildura and District Little Athletic Centre** community. Everyone that participates in **Mildura and District Little Athletic Centre** activities is responsible for the care and protection of children, and reporting information about child abuse.

Mildura and District Little Athletic Centre support the active participation of all children. It listens to their views, respects their views, and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

Mildura and District Little Athletic Centre are also committed to the needs of children and young people with disability, children and young people from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

Mildura and District Little Athletic Centre promote fairness and consideration for all staff, volunteers, and participants. For further details please refer to the **Mildura and District Little Athletic Centre** Member Protection Policy.

SCOPE

This Policy applies to participants, parents, spectators, contractors, officials, coaches, judges and staff throughout all **Mildura and District Little Athletic Centre** events and activities.

This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with **Mildura and District Little Athletic Centre**.

Mildura and District Little Athletic Centre is supported by a wide network of affiliated clubs across Victoria. Affiliation with **Mildura and District Little Athletic Centre** is conditional on an affiliated club implementing and complying with this Policy. Failure to implement and comply with this Policy may cause **Mildura and District Little Athletic Centre** to end its affiliation with a club that is in breach of its obligations.

RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS

This Policy must be read in conjunction with:

- the law of the Commonwealth and Victoria including but not limited to:

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)
- Crimes Act 1958 (Vic); and
- Working with Children Act 2005 (Vic)
- **Mildura and District Little Athletic Centre** policies and procedures, including but not limited to:
 - Privacy Policy.
 - Constitution.
 - Codes of behaviour.
 - Member Protection Policy.
 - Grievance and Discipline procedures; and
 - Photography Policy

DEFINITIONS

Child means a person involved in the activities of **Mildura and District Little Athletic Centre** (including athletes) and under the age of 18 years unless otherwise stated under the law applicable to the child.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

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 offence 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.

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.

Child abuse means:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

Harm is damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN

Personnel involved in protecting children include the board, management, staff, and volunteers within the Organisation. Those people have responsibilities in relation to protection of children and are expected to:

- understand the rights of children, as appropriate to their role.
- respect the cultural and religious practices of families who participate in **Mildura and District Little Athletic Centre** programs or events.
- understand and appropriately respond to the needs of children with developmental delays or disabilities.
- appropriately act on any concerns raised by children.
- understand the definitions, indicators, and impact of child abuse:
- know and follow regulations in relation to the care of children.
- co-operate with police and/or other formal investigations to the best of their ability; and
- not harm or exploit children who participate in **Mildura and District Little Athletic Centre** services.

CHILDREN AND YOUNG PEOPLE PARTICIPATION

Mildura and District Little Athletic Centre are a child-centred organisation. We actively seek to include children's views and ideas in our organisational planning and delivery of services including management of facilities.

We want children to develop new friends through **Mildura and District Little Athletic Centre** and encourage children to be supportive of each other. We do not tolerate bullying or abusive behaviour between children and take action if this occurs.

We respect the rights of children and provide them with information about their rights including the right to be safe at **Mildura and District Little Athletic Centre**. We actively seek to understand what makes children feel safe in our organisation. We regularly communicate with children about what they can do if they feel unsafe.

Mildura and District Little Athletic Centre supports children's participation in the following ways:

- Regular discussions with children, including child-led conversations on what makes them feel safe and unsafe.
- A suggestion box for children that is regularly emptied with suggestions assessed and acted on where appropriate. Children are provided with feedback on their suggestions.
- Consultation with children about any proposed significant changes to the physical environment, policies, procedures, programs or staffing. Children's views are collected by staff, provided to management and considered in the decision-making process.

Families and communities

Mildura and District Little Athletic Centre recognises the important role of families and involves parents and carers when making significant decisions about their child. Parents, families and communities are welcome to provide feedback at any time through our contact email address and are encouraged to raise any concerns they have with us.

Mildura and District Little Athletic Centre provides information to families and community about our child safe policies and practices including through:

- publishing this Child Safety and Wellbeing Policy and Code of Conduct on our website and facebook
- including information about our child safety approach, our operations and Management Committee and management structure, **Mildura and District Little Athletic Centre** parent information manual
- including articles and information on child safety and wellbeing, and reminders about our policies and procedures, in our newsletter.

Creating culturally safe environments for all Aboriginal children and their families

Mildura and District Little Athletic Centre is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included. Strategies to embed cultural safety for Aboriginal children include:

- an Acknowledgement of Country at all competitions,
- supporting children who wish to explore their culture, including consulting with their family and relevant Aboriginal organisations
- providing training for committee and volunteers on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children

Valuing diversity

We value diversity and equity for all children. To achieve this, we:

- provide training for all Management Committee members and volunteers on understanding diversity and how to support inclusion and cultural safety
- welcome and support participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTIQ children and Aboriginal children and their families

- offer athletes and families through our enrolment forms the opportunity to provide information about themselves, including any specific needs to participate fully in our programs
- have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified
- deliver programming that reflects the diversity of our students, their interests and cultures
- strive to reflect the diversity of our community through representation in our staff and Management Committee members
- have a physical and online environment that actively celebrates diversity
- commit to ensuring our facilities and online activities promote inclusion of children of all abilities.

Supporting staff and volunteers

Mildura and District Little Athletic Centre is committed to ensuring that all leaders, committee and volunteers receive training to ensure they understand their responsibilities in relation to child safety and to support their engagement with children. **Mildura and District Little Athletic Centre** assists its leaders, committee and volunteers to incorporate child safety considerations into decisions and to promote a safe environment where children are empowered to speak up about issues that affect them.

All **Mildura and District Little Athletic Centre** Committee members, leaders and volunteers are required to complete annual child safety training. Training will be recorded in the Child Safety Training Action Plan.

Committee and volunteers will receive supervision to support their engagement with children and for compliance with our Code of Conduct and Child Safety and Wellbeing Policy.

Issues or concerns about behaviour with children will be raised immediately and addressed in line with our Code of Conduct, complaint handling policy and disciplinary policy.

RECOGNISING AND REPORTING CHILD ABUSE

A person may, in the course of participating in the sport or other activities at **Mildura and District Little Athletic Centre** or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.

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

- **Child abuse** can be divided into four categories:
 - **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.
 - **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.
 - **Emotional and 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

- **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.

Child abuse includes any actions that results in actual or potential harm to a child, in circumstances where the child's parents have not protected, or are unlikely to protect, the child.

Mandatory Reporters

Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable ground for the belief.

Reasonable grounds for belief

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

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

To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

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

You will have reasonable grounds to notify if:

- a child state that they have been physically or sexually abused.
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves).
- someone who knows a child states that the child has been physically or sexually abused.
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or

- signs of abuse lead to a belief that the child has been physically or sexually abused.

Voluntary Reporters

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, *may* disclose that information to the Police or DHHS.

Reporting Child Sexual Abuse

If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of 3 years imprisonment.

Mildura and District Little Athletic Centre Approach to Reports of Abuse

Mildura and District Little Athletic Centre 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 protection, or they are concerned about the safety, health or wellbeing of a child.

Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by **Mildura and District Little Athletic Centre** and will not be penalised by **Mildura and District Little Athletic Centre** for making the report.

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 **Mildura and District Little Athletic Centre** child protection officer or **Mildura and District Little Athletic Centre** president for guidance and information. If in doubt, ask for assistance.

If an allegation is made against a member of committee or volunteer, **Mildura and District Little Athletic Centre** will follow the reporting procedure outlined in (**Organisation & document name**) and take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation or any other measures deemed appropriate depending on the seriousness of the allegation.

Mildura and District Little Athletic Centre will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.

Mildura and District Little Athletic Centre will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.

Mildura and District Little Athletic Centre will keep a register of any allegations regarding inappropriate conduct.

ENGAGING NEW PERSONNEL

The minimum standard for background checks of employees and volunteers of **Mildura and District Little Athletic Centre** and its members is the law as it applies in Victoria.

Mildura and District Little Athletic Centre undertakes a comprehensive recruitment and screening process for all committee and volunteers which aims to:

- promote and protect the safety of all children who participate in the activities of **Mildura and District Little Athletic Centre**.
- identify and recruit the safest and most suitable candidates who share **Mildura and District Little Athletic Centre** values and commitment to protect children; and
- prevent a person from working at **Mildura and District Little Athletic Centre** if they pose an unacceptable risk to children.

Mildura and District Little Athletic Centre requires committee and volunteers to pass the recruitment and screening process prior to commencing their engagement with **Mildura and District Little Athletic Centre**.

As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g., 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.

- all **Mildura and District Little Athletic Centre** committee members require a WWCC; and
- the following key event personnel must have a valid WWCC:
- volunteers.
- anyone else who **Mildura and District Little Athletic Centre** committee feels requires a WWCC due to the nature of the work that they are undertaking for **Mildura and District Little Athletic Centre**

Mildura and District Little Athletic Centre will exercise discretion and may require applicants to provide a Police check in accordance with the law and as appropriate before they commence their engagement and during their time with **Mildura and District Little Athletic Centre** in regular intervals.

Once engaged, **Mildura and District Little Athletic Centre** will provide volunteers with access to this policy and volunteers must review and acknowledge their understanding of this policy.

Mildura and District Little Athletic Centre requires that affiliated clubs ensure all staff and volunteers (including coaches and any officials) likely to have contact with athletes (and other children) have a current WWCC, which needs to be signed off annually as part of the affiliation process. Clubs which do not comply with their legal obligations will be found to have not complied with the **Mildura and District Little Athletic Centre** affiliation requirements and will be disaffiliated.

Mildura and District Little Athletic Centre requires all affiliated club personnel including owners, Committee Members, Volunteers, Coaches and Judges and anyone else who has contact with children to possess a valid working with children check. Any costs associated with gaining a valid WWCC will be dealt with in a manner determined by that club.

RISK MANAGEMENT APPROACH

Child safety is a part of **Mildura and District Little Athletic Centre** overall risk management approach.

We recognize the importance of identifying and managing risks of child harm and abuse in the physical and online environments operated by **Mildura and District Little Athletic Centre**.

We conduct regular risk assessments and have a risk management plan to address the risk of child abuse and harm at **Mildura and District Little Athletic Centre**. The risk management plan will be developed in consultation with our staff, volunteers, parent representatives and children. We will ensure that any risk controls put in place balance the need to manage harm with the benefits of participating at **Mildura and District Little Athletic Centre**. The Management Committee is responsible for approving the risk management plan.

CHILD SAFE AND CHILD FRIENDLY GUIDELINES TO PREVENT AND MANAGE RISKS OF CHILD ABUSE

Change Rooms

Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

Hotel rooms and other accommodation

No official should be alone in the room of an athlete without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of an athlete, the Team Manager or other responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

Travel - General

All team members over 18 years of age retain an overriding responsibility for the welfare of all athletes they accompany during team travel activities. They have a 'duty of care' for athletes, and they must meet that duty and avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

Sexual Relationships while on tour.

During all team travel activities officials must not, under any circumstances engage in conduct of a sexual nature with an athlete. Improper conduct of a sexual nature by an official towards an athlete includes any form of child sexual abuse (defined within the (**Mildura and District Little Athletic Centre** Member Protection Policy) as well as but not limited to the following:

- inappropriate conversations of a sexual nature;
- obscene language of a sexual nature;
- suggestive remarks or actions;

- jokes of a sexual nature;
- obscene gestures;
- unwarranted and inappropriate touching;
- sexual exhibitionism;
- use of any device to show/watch offensive material; and
- any other action that could lead to an athlete being physically, emotionally or psychologically harmed.

Adults under investigation

Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to jeopardise their Working with Children Check (WWCC) (or if based in another State the equivalent requirement) status may be prohibited, by the **Mildura and District Little Athletic Centre** committee, from participating in **Mildura and District Little Athletic Centre** activities.

Coach Assistance

All coaches must ensure that all physical contact with athletes which occurs when coaching is appropriate for the situation and necessary for the athlete's safety. It is strongly recommended that:

- coaches ensure that there are other adults present whenever coaching.
- coaches take care to explain the procedure to the child prior to beginning any physical contact; and
- coaches obtain consent from the athlete prior to beginning any physical contact.

POLICY BREACHES

It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have done anything contrary to this policy. Any person who may breach this policy will be investigated and may result in corrective action. More information can be found in our disciplinary policy.

POLICY PROMOTION

- This policy will be made available to all members via website and Facebook
- This policy will be communicated to all Committee members via website, Facebook and email.
- References to this policy will be included in documentation provided to all team officials that represent **Mildura and District Little Athletic Centre**

REVIEW PROCESS

This policy will be reviewed by the **Mildura and District Little Athletic Centre** committee on bases. If you would like to provide **Mildura and District Little Athletic Centre** with any feedback or suggestions to improve this policy, please contact club president **Steve Erlandsen** at mil@salaa.org.au

In addition to the regular review of this policy, recommendations for changes to the policy may be submitted to the Board for consideration at any time. In the event that changes are accepted, the policy will be updated, and circulated to all stakeholders via the webpage, bulletin and other appropriate communication channels.
