



McKinnon Basketball Association

Child Safety Procedures

Procedure Title: Child Safety Procedures	Policy Owner: MBA General Manager	Authorised: MBA President
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Purpose

From 1 January 2017, the Victorian Child Safety Standards apply to sporting organisations that operate and provide sporting services to children within Victoria. There are eleven different standards and three principles with which sports are required to comply.

The standards relate to child protection within our organisation and include requirements to have practices, procedures and policies in place to keep all children safe from abuse.

This procedures document was written to demonstrate the strong commitment of the management, staff and volunteers of McKinnon Basketball Association to child safety, the screening process for people in our Association who work, coach, supervise or have regular unsupervised contact with people under the age of 18, what constitutes good and poor practices when dealing with minors, and how to effectively respond to incidents of abuse.

Our association will:

- 1) Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
- 2) Obtain a completed *Member Protection Declaration (MPD)* from all people who are identified in the above step. This document will be stored securely by the MBA.
- 3) Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position
- 4) Where possible, gain a verbal or written referee check about his/her suitability for the role.
- 5) Make sure that the person being considered has a valid Working with Children Check (WCC) issued by the Victorian government. Our organisation recognises two (2) exceptions to the Working with Children Check – Victorian Police officer or Australian Federal Police officer, or teachers who are currently registered with the Victorian Institute of Teaching. These personnel are not required to have a Victorian WCC for the positions identified in Step 1 If a persons' Victorian Institute of Teaching registration is suspended or cancelled, they must have a valid WCC to work or volunteer with children in the MBA. The validity of their registration as a resisted teacher will be checked via the Victorian Institute of Teaching web portal <http://www.vit.vic.edu.au/search-the-register/> nocache
- 6) If a member of the Victorian or Federal Police are suspended or dismissed from the force, they are no longer exempt and must hold a WCC to work or volunteer with children.



- 7) Annually checking the validity and currency of relevant staff or volunteer's Working with Children Check via the portal on the Working with Children Check website
<https://online.justice.vic.gov.au/wwccu/checkstatus.doj>

Promoting Good Practice

Good Practice

All personnel should adhere to the following principles and actions:

- always work in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets)
- make the experience of basketball fun and enjoyable: promote fairness, confront and deal with bullying
- treat all children, including Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability equally and with respect and dignity and maintain they feel safe
- build strong relationships within community groups and create culture awareness
- create a welcoming environment for all cultures including those of minority groups
- always put the welfare of the child first, before winning
- maintain a safe and appropriate distance with players (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them)
- avoid unnecessary physical contact with children. Where any form of manual/physical support is required it should be provided openly and with the consent of the child. Physical contact can be appropriate so long as it is neither intrusive nor disturbing and the child's consent has been given
- involve parents/carers wherever possible, e.g. where children need to be supervised in changing rooms, encourage parents to take responsibility for their own child. If groups have to be supervised in changing rooms always ensure parents, coaches, etc. work in pairs
- request written parental consent if Association officials are required to transport children in their cars
- gain written parental consent for any significant travel arrangements e.g. overnight stays
- ensure that if mixed teams are taken away, they should always be accompanied by a male and female member of staff
- ensure that at away events adults should not enter a child's room or invite young people to their rooms
- be an excellent role model; this includes not smoking or drinking alcohol in the company of children
- always give enthusiastic and constructive feedback rather than negative criticism
- recognising the developmental needs and capacity of the children and do not risk sacrificing welfare in a desire for Association or personal achievements. This means avoiding excessive training or competition and not pushing them against their will
- secure written parental consent for the Association to act in loco parentis, to give permission for the administration of emergency first aid or other medical treatment if the need arises, or phone permission in the absence of a parent/guardian.



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- keep a written record of any injury that occurs, along with details of any treatment given

Poor Practice

The following are regarded as poor practice and should be avoided by all personnel:

- unnecessarily spending excessive amounts of time alone with children away from others
- taking children alone in a car on journeys, however short
- taking children to your home where they will be alone with you
- sharing a room with a child
- engaging in rough, physical or sexually provocative games, including horseplay
- allowing or engaging in inappropriate touching of any form
- engaging privately with children on social media platforms
- taking unauthorised photographs of children (please read the attached document on precautions to be taken while photographing/filming children)
- allowing children to use inappropriate language unchallenged
- making sexually suggestive comments to a child, even in fun
- reducing a child to tears as a form of control
- allowing allegations made by a child to go unchallenged, unrecorded or not acted upon
- doing things of a personal nature that the children can do for themselves.

Digital Communication

When communicating with Children-employees and volunteers must ensure content is:

- Directly associated with delivering our services
- Concise with personal or social content where the message is delivered in a friendly and polite manner
- Devoid of any behaviour which is of sexual or discriminating nature
- Not promoting unauthorised social activity or contact.

When a case arises where it is impractical/impossible to avoid certain situation e.g. transporting a child in your car, the tasks should only be carried out with the full understanding and consent of the parent/carer and the child involved.

If during your care you accidentally hurt a child, the child seems distressed in any manner, appears to be sexually aroused by your actions and/or if the child misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a written note of it. Parents should also be informed of the incident.

Procedures for responding to Suspicions and Allegations

It is not the responsibility of anyone working for our association 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



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through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the child. This applies **BOTH** to allegations/suspensions of abuse occurring within our association's activities and to allegations/suspensions that abuse is taking place elsewhere.

This guide explains how to respond to allegations/suspensions.

Receiving Evidence of Possible Abuse

- stay calm** so as not to frighten the young person.
- reassure** the child that he/she is not to blame and that it was right to tell.
- listen** to the child, showing that you are taking him/her seriously.
- keep questions to a minimum** so that there is a clear and accurate understanding of what has been said. The law is very strict and child abuse cases have been dismissed where it is felt that the child has been led or words and ideas have been suggested during questioning. Only ask questions to clarify.
- inform** the child that you have to inform other people about what he/she has told you. Tell the child this is to help stop the abuse from continuing.
- safety of the child** is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern and ensure they are made aware that this is a child protection issue.
- record** all information.
- report** the incident to the Association's Welfare Officer.

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

In the last of these cases, it is particularly important to respond appropriately. If a child says or indicates that he/she is being abused, you should:

- safety of the child is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern and ensure they are made aware that this is a child protection issue.
- record all information.
- report the incident to the organisation/association/welfare officer

Recording Information

To ensure that information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern. In recording you should confine yourself to the facts and distinguish what is your personal knowledge and what others have told you. Do not include your own opinions.

Information should include the following:

- the child's name, age and date of birth
- the child's home address and telephone number



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- whether or not the person making the report is expressing his/her concern or someone else's
- the nature of the allegation, including dates, times and any other relevant information
- a description of any visible bruising or injury, location, size etc. Also any indirect signs, such as behavioural changes
- details of witnesses to the incident
- the child's account, if it can be given, of what has happened and how any bruising/injuries occurred
- have the parents been contacted? If so what has been said?
- has anyone else been consulted? If so record details
- has anyone been alleged to be the abuser? Record details.

Reporting a Concern

All suspicions and allegations MUST be reported appropriately. It is recognised that strong emotions can be aroused particularly in cases where sexual abuse is suspected or where there is misplaced loyalty to a colleague. It is important to understand these feelings but not allow them to interfere with your judgement about any action to take.

McKinnon Basketball Association expects its members and staff to discuss any concerns they may have about the welfare of a child IMMEDIATELY with the person in charge and subsequently to check that appropriate action has been taken.

If the nominated Association Welfare Officer is not available, you should take responsibility and seek advice from the duty officer at your local social services department or the police. Telephone numbers can be found in your local directory.

Contacts:

- Chief Executive Manager at McKinnon Basketball Association 0417 019 949
- Commission for Children and Young People 1300 78 29 78
- Department of Human Services Child Protection 13 12 78

Where there is a complaint against an employee or volunteer, there may be three types of investigation:

- Criminal** in which case the police are immediately involved
- Child Protection** in which case the social services (and possibly) the police will be involved
- Disciplinary or Misconduct** in which case Basketball Victoria will be involved

As mentioned previously in this document, McKinnon Basketball Association's employees and volunteers are not child protection experts and it is not their responsibility to determine whether or not abuse has taken place. All suspicions and allegations must be shared with professional agencies



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that are responsible for child protection.

Social services have a legal responsibility under The Children Act 1989 to investigate all child protection referrals by talking to the child and family (where appropriate), gathering information from other people who know the child and making inquiries jointly with the police.

NB: If there is any doubt, you must report the incident: it may be just one of a series of other incidences which together cause concern

Any suspicion that a child has been abused by an employee or a volunteer should be reported to McKinnon Basketball Association who will take appropriate steps to ensure the safety of the child in question and any other child who may be at risk. This will include the following:

- we will refer the matter to social services department
- the parent/carer of the child will be contacted as soon as possible following advice from the social services department
- the chair person of our organisation will be notified to decide who will deal with any media inquiries and implement any immediate disciplinary proceedings
- if the Association Welfare Officer is the subject of the suspicion/allegation, the report will be made to the appropriate manager who will refer the matter to social services

Allegations of abuse are sometimes made after the event. Where such an allegation is made, you should follow the same procedures and have the matter reported to social services. This is because other children in the sport or outside it may be at risk from the alleged abuser. Anyone who has a previous conviction for offences related to abuse against children is automatically excluded from working with children.

Concerns Outside the Immediate Sporting Environment (eg parent or carer)

- Report your concerns to the welfare officer.
- If the welfare officer is not available, the person being told or discovering the abuse should contact their local social services department or the police immediately.
- Social Services and the welfare officer will decide how to inform the parents/carers.
- The Welfare Officer should also report the incident to Basketball Victoria. The MBA will ascertain whether or not the person/s involved in the incident play a role in the organisation and act accordingly.
- Maintain confidentiality on a need to know basis.

NOTE: Please also refer to the Victoria State Government's Education and Training website: <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx> for further information on child protection reporting obligations. This website will provide you with information on the concerned authorities to be contacted when child abuse has taken place and the procedures to be followed for making a report of child abuse to the concerned authorities



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Precautions to be Taken While Photographing Children

When photographing or filming a child or using children’s images for work-related purposes, one must:

- assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child.
- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this one must explain how the photograph or film will be used.
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- ensure images are honest representations of the context and the facts.
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- understand that the onus is on him/her to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

MEMBER PROTECTION DECLARATION

I (name)

of (address)

born/...../.....

Sincerely declare:

I do not have any criminal charge pending before the courts.

1. I do not have any criminal convictions or findings of guilt for sexual offences, drugs related offences, offences related to children or acts of violence.
2. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
3. To my knowledge there is no other matter that the association may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
4. I will notify the CEO or President of the association immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above have changed.

Declared in the State/Territory of



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on/...../..... (date)

Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

I have read and understood the declaration provided by my child.

I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date: