

Associated Public Schools of Victoria

ABN 61 949 738 691

*APS House, G2 / 774 Toorak Road Glen Iris Vic 3146
Tel: (03) 9804 3677 Fax: (03) 9804 3630 Mobile: 0417 512 174
Email: aps@apssport.org.au Website: www.apssport.org.au*

APS SPORT CHILD SAFETY POLICY

POLICY NAME	Child Safety Policy
DATE OF ISSUE	2 December 2016
POLICY COVERAGE	All employees of The Associated Public Schools of Victoria (APS Sport) to include contractors, officials, coaches, umpires, referees, conveners, volunteers and staff
DATE OF REVIEW	Biennial
CONTROLLING BODY	The Associated Public Schools of Victoria Inc (APS Sport)

The Associated Public Schools of Victoria Inc (APS Sport) was formed to provide a comprehensive and high quality sporting competition for the students of the schools of the Associated Public Schools of Victoria and thereby foster individual and team development for all.

- Promote health and fitness and inculcate values of teamwork and fair play through participation
- Provide high quality sporting competition commensurate with the age and ability of students
- Provide a safe competition with appropriate facilities
- Foster individual talent, leadership, team spirit and ethical behaviour in all students

1. INTRODUCTION

- 1.1. APS Sport is committed to ensuring that children and young people who participate in its activities have a safe and happy experience. APS Sport supports and respects children, young people, staff, volunteers and participants.
- 1.2. The aim of APS Sport's Child Safety Policy (the 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.
- 1.3. Should a person wish to make any enquiries in relation to this Policy, please contact the APS Sport Executive Officer, Luke Soulos on T: (03) 9804 3677 or M: 0417 512 174.

2. POLICY STATEMENT

- 2.1. APS Sport is committed to providing the highest level of service to its' member schools. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering APS Sport programs whilst acting in the best interests of children.
- 2.2. Specifically, APS Sport considers that the health, safety and well-being of children take priority over all other competing considerations. APS Sport considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of sport, APS Sport and its members.

- 2.3. APS Sport has a zero-tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability, gender diversity or sexual orientation etc.
- 2.4. Child protection is a shared responsibility between APS Sport, its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers and members of the APS Sport community. Everyone that participates in APS Sport's activities is responsible for the care and protection of children, and reporting information about child abuse.
- 2.5. APS Sport supports 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).
- 2.6. APS Sport is also committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.
- 2.7. APS Sport promotes fairness and consideration for all staff, volunteers and participants. For further details please refer to the APS Sport **Member Protection Policy**.

3. SCOPE

- 3.1. This Policy applies to participants, parents, spectators, contractors, officials, coaches, umpires, referees, conveners and staff throughout all APS Sport events and activities.
- 3.2. This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with APS Sport.
- 3.3. APS Sport is supported by a network of member schools across Metropolitan and Greater Melbourne. Membership with APS Sport is conditional on member schools implementing, and complying with this Policy. Failure to implement and comply with this Policy may cause APS Sport to end the schools' membership that is in breach of its obligations.

4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS

- 4.1. This Policy must be read in conjunction with:
 - 4.1.1. the law of the Commonwealth and Victoria including but not limited to:
 - 4.1.1.1. Children, Youth and Families Act 2005 (Vic)
 - 4.1.1.2. Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)
 - 4.1.1.3. Crimes Act 1958 (Vic); and
 - 4.1.1.4. Working with Children Act 2005 (Vic)
 - 4.1.2. APS Sport policies and procedures, including but not limited to:
 - 4.1.2.1. Privacy Policy;
 - 4.1.2.2. Constitution;
 - 4.1.2.3. Code of conduct;
 - 4.1.2.4. Member Protection Policy;
 - 4.1.2.5. Grievance and Discipline procedures; and
 - 4.1.3. **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults who have a reasonable belief that an adult has committed a sexual offence against a child under sixteen (16) have an obligation to report that information to the police.
 - 4.1.4. **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk but negligently fail to do so.

5. DEFINITIONS

- 5.1. **Child** means a child or young person enrolled as a student at an APS Sport Member School unless otherwise stated under the law applicable to the child.
- 5.2. **Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.
- 5.3. **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.
- 5.4. **Mandatory reporter** means a person who is legally required to make a report to the Department of Health and 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.

6. RECOGNISING AND REPORTING CHILD ABUSE

- 6.1. A person may, in the course of participating in the sport or other activities of APS Sport or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.
- 6.2. If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.
- 6.3. **Child abuse** can be divided into four categories:
 - 6.3.1. **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.
 - 6.3.2. **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.
 - 6.3.3. **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
 - 6.3.4. **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.
- 6.4. 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.

6.5. Mandatory Reporters

- 6.5.1. 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.
- 6.5.2. This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable grounds for the belief.

6.6. Reasonable grounds for belief

- 6.6.1. A reasonable belief is formed if a reasonable person believes that:
 - 6.6.1.1. the child is in need of protection;
 - 6.6.1.2. the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
 - 6.6.1.3. the child's parents are unable or unwilling to protect the child.
- 6.6.2. 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 is any other related matters known regarding the alleged perpetrator.
- 6.6.3. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.
- 6.6.4. You will have reasonable grounds to notify if:
 - 6.6.4.1. a child states that they have been physically or sexually abused;
 - 6.6.4.2. a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
 - 6.6.4.3. someone who knows a child states that the child has been physically or sexually abused;
 - 6.6.4.4. 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
 - 6.6.4.5. signs of abuse lead to a belief that the child has been physically or sexually abused.

6.7. Voluntary Reporters

- 6.7.1. 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.

6.8. Reporting Child Sexual Abuse

- 6.8.1. 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.

6.9. Approach to Reports of Abuse

- 6.9.1. APS Sport 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.
- 6.9.2. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by APS Sport, and will not be penalised by APS Sport for making the report.
- 6.9.3. 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 APS Sport Executive Officer for guidance and information. If in doubt, ask for assistance.
- 6.9.4. If an allegation is made against a member of staff or volunteer, APS Sport will follow the reporting procedure outlined in **APS Sport's Reporting Obligations Policy** 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, working from home, or any other measures deemed appropriate depending on the seriousness of the allegation.
- 6.9.5. APS Sport 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.
- 6.9.6. APS Sport will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.
- 6.9.7. APS Sport will keep a register of any allegations regarding inappropriate conduct.

7. ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN

- 7.1. Personnel involved in protecting children include the APS Heads Committee, Principals, staff and volunteers within the Organisation. Those people have responsibilities in relation to protection of children and are expected to:
 - 7.1.1. understand the rights of children, as appropriate to their role;
 - 7.1.2. respect the cultural and religious practices of families who access APS Sport's services, programs or events;
 - 7.1.3. understand and appropriately respond to the needs of children with developmental delays or disabilities;
 - 7.1.4. appropriately act on any concerns raised by children;
 - 7.1.5. understand the definitions, indicators and impact of child abuse;
 - 7.1.6. know and follow regulations in relation to the care of children;
 - 7.1.7. co-operate with police and/or other formal investigations to the best of their ability; and
 - 7.1.8. not harm or exploit children who access APS Sport's services.

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

8.1. Change Rooms

8.1.1. 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.

8.2. Hotel rooms and other accommodation

8.2.1. No official should be alone in the room of a student 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 a student, 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.

8.3. Travel - General

8.3.1. All Team Officials retain an overriding responsibility for the welfare of all students they accompany during team travel activities. They have a 'duty of care' for students and they must meet that duty and avoid unaccompanied and unobserved activities wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

8.4. Sexual Relationships while on tour

8.4.1. During all team travel activities officials, must not, under any circumstances engage in conduct of a sexual nature with a student. Improper conduct of a sexual nature by an official towards a student includes any form of child sexual abuse (defined within the APS Sport Member Protection Policy) as well as but not limited to the following:

8.4.1.1. inappropriate conversations of a sexual nature;

8.4.1.2. obscene language of a sexual nature;

8.4.1.3. suggestive remarks or actions;

8.4.1.4. jokes of a sexual nature;

8.4.1.5. obscene gestures;

8.4.1.6. unwarranted and inappropriate touching;

8.4.1.7. sexual exhibitionism;

8.4.1.8. use of any device to show/watch offensive material; and

8.4.1.9. any other action that could lead to an athlete being physically, emotionally or psychologically harmed.

8.5. Adults under investigation

8.5.1. 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 APS Heads Committee, from participating in APS Sport activities.

8.6. Coach Assistance

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

8.6.1.1. coaches ensure that there are other adults present whenever coaching;

8.6.1.2. coaches take care to explain the procedure to the child prior to beginning any physical contact; and

8.6.1.3. coaches obtain consent from the child prior to beginning any physical contact.

9. ENGAGING NEW PERSONNEL

9.1. The minimum standard for background checks of employees and volunteers of APS Sport and its members is the law as it applies in Victoria.

9.2. APS Sport undertakes a comprehensive recruitment and screening process for all staff and volunteers which aims to:

9.2.1. promote and protect the safety of all children who participate in the activities of APS Sport;

9.2.2. identify and recruit the safest and most suitable candidates who share APS Sport's values and commitment to protect children; and

9.2.3. prevent a person from working at APS Sport if they pose an unacceptable risk to children.

9.3. APS Sport requires staff and volunteers to pass the recruitment and screening process prior to commencing their engagement with APS Sport.

9.4. 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 school setting.

9.4.1. all APS Sport staff require a WWCC; and

9.4.2. the following key event personnel must have a valid WWCC:

9.4.2.1. those paid by APS Sport for their services (excluding bump in and bump out);

9.4.2.2. volunteers;

9.4.2.3. relevant contractors who may have unsupervised access to children; and

9.4.2.4. anyone else who APS Sport requires a WWCC due to the nature of the work that they are undertaking for APS Sport.

9.5. The type of evidence that an applicant is required to provide to APS Sport will vary depending on the type of position that they are applying for. However, an applicant will not be offered a position until they provide the required evidence to APS Sport.

9.6. APS Sport 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 APS Sport in regular intervals.

9.7. APS Sport will undertake thorough reference checks prior to engaging any personnel.

9.8. Once engaged, APS Sport will provide staff and volunteers with access to this policy and staff and volunteers must review and acknowledge their understanding of this policy.

- 9.9. APS Sport requires that member schools ensure all staff and volunteers (including coaches and any officials) likely to have contact with students have a current WWCC, which needs to be signed off annually. Schools which do not comply with their legal obligations will be found to have not complied with the APS Sport requirements and may be disaffiliated.
- 9.10. APS Sport requires all personnel including contractors, officials, coaches, umpires, referees, convenors, volunteers and staff 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 the responsibility of the individual.

10. RISK MANAGEMENT APPROACH

- 10.1. Child safety is a part of APS Sport 's overall risk management approach.

11. POLICY BREACHES

- 11.1. 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 is subject to the APS Sport Member Protection Policy and/or additional discipline processes.

12. POLICY PROMOTION

- 12.1. This policy will be made available to all employees of APS Sport electronically and other appropriate communication channels.
- 12.2. This policy will be communicated to all staff, Delegates, and Sport Coordinators and members electronically and other appropriate communication channels.
- 12.3. References to this policy will be included in documentation provided to all officials that represent APS Sport.

13. REVIEW PROCESS

- 13.1. This policy will be reviewed by the APS Heads Committee on a biennial basis.
- 13.2. If you would like to provide APS Sport with any feedback or suggestions to improve this policy, please contact the APS Sport Executive Officer, Luke Soulos on T: (03) 9804 3677 or M: 0417 512 174.
- 13.3. In addition to the regular review of this policy, recommendations for changes to the policy may be submitted to the APS Heads Committee for consideration at any time. If changes are accepted, the policy will be updated, and circulated to all stakeholders via the website and other appropriate communication channels.

Luke Soulos
Executive Officer
APS Sport
8 December 2016

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APS SPORT CHILD SAFETY INCIDENT REPORT

The child safe standards require organisations that provide services for children⁽¹⁾ to have processes for responding to and reporting suspected child abuse⁽²⁾. You can provide this resource to a child or their family if they disclose an allegation of abuse or safety concern in your organisation. Your staff can also use this resource to record disclosures.

All incident reports must be stored securely.

Incident details

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

If you believe a child is at immediate risk of abuse phone 000.

Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

No Yes, Aboriginal Yes, Torres Strait Islander

Please categorise the incident

Physical violence

Sexual offence

Serious emotional or psychological abuse

Serious neglect

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please describe the incident

When did it take place?	
Who was involved?	
What did you see?	
Other information	

Parent/carer/child use

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

Office use:

Date incident report received:	
Staff member managing incident:	
Follow-up date:	
Incident ref. number:	

Has the incident been reported?

Child protection	
Police	
Another third party (please specify):	

Incident reporter wishes to remain anonymous?

(Mark with an 'X' as applicable)

Yes No

- (1) For a [list of the organisations in scope](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards) for the child safe standards, please see the Department of Health and Human Services website: www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards.
- (2) The child safe standards aim to protect children from abuse in organisations, including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. For further explanation of the different types of child abuse, please see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): www.dhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc.

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APS Sport Child Safe Code of Conduct

This Code of Conduct outlines appropriate standards of behaviour by adults towards children.

The Code of Conduct aims to protect children and reduce any opportunities for abuse or harm to occur. It also helps staff and volunteers by providing them with guidance on how to best support children and how to avoid or better manage difficult situations. This Code of Conduct applies to all people involved in APS Sport activities, including coaches, officials, volunteers and parents.

All APS Sport staff and volunteers are responsible for promoting the safety and wellbeing of children and young people by:

- Adhering to our Child Safe Policy, this Code of Conduct and other APS Sport policies
- Taking all reasonable steps to protect children from abuse
- Treating everyone with respect, including listening to and valuing their ideas and opinions
- Welcoming all children and their families and carers and being inclusive
- Respecting cultural, religious and political differences and acting in a culturally sensitive way, particularly when interacting with children who are Aboriginal or otherwise culturally or linguistically diverse and those with a disability
- Modelling appropriate adult behaviour
- Listening to children and responding to them appropriately
- Reporting and acting on any breaches of this Code of Conduct, complaints or concerns appropriately and treat them seriously and with respect.
- Complying with our guidelines on physical contact with children
- Working with children in an open and transparent way – other adults should always know about the work you are doing with children
- Respecting the privacy of children and their families, and only disclosing information to people who have a need to know.

APS Sport staff, coaches, officials, volunteers and parents **MUST NOT**:

- Seek to use children in any way to meet the needs of adults
- Ignore or disregard any concerns, suspicions or disclosures of child abuse
- Use prejudice, oppressive behaviour or language with children
- Engage in rough physical games
- Discriminate on the basis of age, gender, race, culture, vulnerability or sexuality
- Initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves, such as toileting or changing clothes
- Develop 'special' relationships with specific children or show favouritism through the provision of gifts or inappropriate attention
- Exchange personal contact details such as phone number, social networking site or email addresses with children
- Have unauthorised contact with children and young people online or by phone.

By observing these standards, you acknowledge your responsibility to immediately report any breach of this code to the APS Sport Executive Officer, Luke Soulos, T: (03) 9804 3677 or M: 0417 512 174.

This Code of Conduct will be reviewed by APS Sport annually.

I have read this Code of Conduct and agree to abide by it at all times.

Name: _____

Signature: _____

Role: _____

Date: _____

APS SPORT CHILD SAFETY REPORTING PROCESS (Flowchart)

Who can report?

Parent

Child

Staff member
or volunteer

What to report?

Any child safety concerns, including:

- disclosure of abuse or harm
- allegation, suspicion or observation
- breach of Code of Conduct
- environmental safety issues.

Call 000 if a child is in immediate danger

How?

Face-to-face verbal report, letter, email, telephone call, meeting

Who to?

Child Safety Person, Manager, Supervisor

What happens next?

The Child Safety Person, manager or supervisor will:

- offer support to the child, the parents, the person who reports and the accused staff member or volunteer
- initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)
- decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Department of Health and Human Services - Child Protection and make report as soon as possible if required.

Outcome

Investigation; outcome decided; relevant staff, volunteers, parents and child notified of outcome of investigation; policies, procedures updated where necessary.