



AU Sport Child Safe Environment Policy

For all AU Sport clubs, this policy is to be used in conjunction with ‘Child Safe Environments and AU Sport Clubs Guidelines’

This policy includes the following attachments:

1.1 AU Sport Child Protection Process	7
2.1 AU Sport Screening Requirements	9
3.1 Member Protection Declaration	11
4.1 Procedures for obtaining and accessing criminal history information	12

Background:

Everyone involved in a recreation group or sporting club has a responsibility to care and protect any children (those under the age of 18 years of age) who participate in their club.

The Children’s Protection Act 1993 requires that organisations must:

- Develop policies and procedures to establish and maintain child safe environments
- Lodge a “Child Safe Environment Compliance Statement” with the Department for Education and Child Development (DECD - Families SA).
- Report a reasonable suspicion or incidences of abuse or neglect

The *Children’s Protection Act 1993* makes it a legal requirement for certain people to report a reasonable suspicion or incidences of abuse or neglect. This obligation is known as mandatory notification and a penalty may stem from an individual’s failure to comply. Notifications must be made to **Families SA Child Abuse Report Line on 13 14 78**.

Reasonable grounds may include:

- A disclosure of abuse by a child
- Professional judgement, based on the notifier’s experience and observations
- Discourse by a child or an adult that a child is being abused or is at risk

Mandated notifiers are an employer of, or **volunteer** in, a government or **non-government organisation that provides** health, welfare, education, **sporting or recreational**, child care or residential **services wholly or partly for children**.

These people:

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

Staff and volunteers of recreation and sporting bodies who work with children fit these descriptions and so have a legal obligation (are mandated) to report any suspected child abuse and/or neglect.

AU Sport Policy:

AU Sport is committed to the safety and wellbeing of all young people and children accessing our services or our clubs. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff & volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

AU Sport acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of young people involved in sport. AU Sport aims to continue this and to take measures to protect the safety and welfare of young people participating in sport by:

- **Identify, analyse and treating risk of harm**

AU Sport has a comprehensive risk management policy and review process. As part of this process, AU Sport and AU Sport Clubs are annually required to assess their child protection practices and treat any risk that is identified.

- **Ensure that AU Sport policies and practices are in line with child safe environments**

AU Sport shall ensure that its child protection processes are in line with the University of Adelaide policies and government regulations and shall consider all of its activities including travelling teams. AU Sport shall advise all AU Sport Clubs to also consider the child protection policies and 'Keeping Child Safe' guidelines set by their State Sporting Organisation (SSO).

- **Providing guidelines on:**
 - **Supervision**

Members under the age of 18 must be supervised at all times by a responsible adult. AU Sport recommends a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a

member finds a member under the age of 18 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

Parents must arrive on time to collect their child for reasons of courtesy and safety at a location agreed to by AU Sport or the Club. If it appears a member will be left alone at the end of AU Sport/club activities with just one child, they need to ask another member to stay until the child is collected.

- **Transportation**

Parents/guardians are responsible for transporting their children to and from AU Sport/club activities (e.g. practice and games) or making suitable arrangements with others (this could include allowing the child to transport themselves to training via bike, public transport or driving if they have a licence).

For those who are able to drive, AU Sport and clubs understand that there is passenger and night driving restrictions (ie no passengers aged between 16 – 20 except immediate family allowed; and no driving between midnight and 5am) placed on those drivers who are under the age of 25 and have a P1 driver's licence. Exemptions are in place for those involved in sport and AU Sport or the club are able to provide documentation to support this fact if needed. (For more information: mylicence.sa.gov.au).

Where AU Sport or a Club makes arrangements for the transportation of children (e.g. for away or overnight trips), the agreements will be in line with the 'AU Sport Safe Travel' policy where AU Sport/Club will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and appropriate safety measures are available (e.g. fitted working seatbelts; the child is not left alone with the driver).

- **Taking and using images of children**

Images of children can be used inappropriately or illegally. AU Sport requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

AU Sport recognises and respects that some SSOs have requirements where there is no photography/video recording allowed at their junior competitions or that permission from all involved must be sought before photography/video recording occurs.

AU Sport will only use an image of a child in good faith. We will only use appropriate images of a child, relevant to the sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc. If AU Sport or one of our clubs uses an image of a child, we will avoid naming or identifying the child or wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by other persons.

- **Social Media**

AU Sport and its clubs use social media tools, especially Facebook, as a means to communicate with members. AU Sport will follow the guidelines set out in the 'AU Sport Social Media Guidelines', however special considerations should be made when anyone under the age of 18 is involved. The following will be considered:

- AU Sport and its clubs will not rely solely on social media to communicate key information to members to ensure that those who are not on social media are not excluded from any information.
- All social media communication should be suitable in content and language for those using the page/group.
- Anti-bullying and harassment should be promoted and those involved in bullying behaviours should be counselled in line with relevant AU Sport or Club policies.
- AU Sport recommends that, if an official club group is established for members who are juniors, that at least two senior members such as a coach, junior coordinator or Child Safe Officer, who have all met the club's screening process, be added as administrators to monitor the group. The adding of parents to the group is at the discretion of the administrators. If the focus of the group is to relay key information, parents should be added under clear guidelines. If it is a social/friendship group, then the adding of parents is not needed.

- **Choosing suitable employees and volunteers and support/ train them for their role**

AU Sport will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

This may be achieved using a range of screening measures such as criminal history checks, signed declarations, referee checks, and other relevant background checks as outlined in Attachment 2.1. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

AU Sport will ensure that working with children checks/criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law.

- **Ensure 'Codes of Conduct' for adults and children are supported and followed**

AU Sport has a general 'Code of Conduct' and will ensure that there are specific codes for roles that specify standards of conduct and care when dealing and interacting with young people and children. AU Sport shall also empower and promote the participation of young people in the decision-making process.

- **Assist our clubs to provide a child safe environment**

As outlined in Attachment 1, AU Sport shall work closely with AU Sport Clubs to ensure they are providing a suitable child safe environment for those to which they provide a service.

- **Ensure that volunteers and staff, especially those who take up the role of 'Child safe officers' / 'Member protection officers', are well trained and supported in their role**

AU Sport will ensure that volunteers and employees, who work with children or have access to their records, have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment. AU Sport will also support mandated notifiers (staff/volunteers of AU Sport and our clubs who are engaged in the actual delivery of sport and recreation to children or hold a management position where their duties include direct responsibility for, or direct supervision of, the provision of those services to children) under the Act to meet their legal obligation to notify of any reasonable suspicion of child abuse.

AU Sport SDOs will enable Member Protection and Child Safe Officer training and will be first point of call for all clubs on child safe issues. For Clubs that have official junior programs, AU Sport recommends that they appoint and support their own Child Safe Officer.

Definitions:

Member Protection Information Officers (MPIOs) play an important role as they are the persons responsible for providing information and options to an individual making a complaint or raising a concern, as well as giving support during the process.

The role of the **Child Safe Officer** is to deliver advice and awareness training within their club, having attained certain competencies. They can also be the first point of contact for members who have concerns about a child or young person within the organisation or group.

- **Report and respond appropriately to suspected abuse and neglect**

AU Sport will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

AU Sport will make all volunteers and employees aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

In addition to any legal obligation, if any person feels another person or organisation bound by this policy is acting inappropriately towards a young person or child; or is breaching the code(s) of practice set out, they may make an internal complaint. Please refer to our 'Complaints Handling Policy' to understand the steps involved. This will explain what to do about the behaviour and how the AU Sport will deal with the problem.

1. AU Sport Child Protection Process

This document outlines the process that AU Sport, AU Sport Clubs with official junior programs and AU Sport Clubs with no official junior program, but may have members under the age of 18, will do to ensure that it is providing a child safe environment and meeting its child protection requirements.

AU Sport:

1. AU Sport updates its 'Compliance Statement' with Department for Education and Child Development (www.families.sa.gov.au/childsafe) when required
2. Board to accept draft policy and review every three years or as needed
3. SDO to undertake the following training:
 - a. Free online training via 'Play by the Rules'
 - i. Play by the rules – 'Child Protection' and 'Harassment and discrimination'
 - ii. Member Protection Officer training. This course includes a three hour face to face training
 - iii. Complaints Handling training
 - b. Child Safe Officers course through the Office for Recreation and Sport.
 - c. Any other relevant training that may be suitable.
4. Review all activities and set guidelines for Australian University Sport events, especially when travelling is involved.
5. Ensure all AU Sport clubs are following the steps outlined in the 'AU Sport Child Safe Clubs Guidelines'
6. To provide ongoing information and support to AU Sport Clubs. Promote the free online training provided by 'Play by the Rules' and encourage clubs to understand their SSO requirements.
7. Provide support to mandated notifiers under the Act to meet their legal obligation to notify of any reasonable suspicion of child abuse.

This support should include:

 - Inductions and position/task descriptions
 - Ongoing support and supervision

- Opportunity to develop necessary skills and knowledge to fulfil the role as a mandated notifier. Training could include courses provided by 'Play by the Rules', Office for Recreation and Sport and AU Sport
 - Access to a Member Protection Officer or counselling services
8. Review annually as part of the 'AU Sport Risk Management Review' program

Attachment 2.1: AU Sport Screening Requirements

This attachment sets out the screening process for people in AU Sport who work, coach, supervise, and have regular unsupervised contact with people under the age of 18 years or access to their personal details.

All AU Sport Clubs are required to do the same.

AU Sport will:

1. Identify positions that involve working, coaching, supervising or having regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed **Member Protection Declaration (MPD) (Attachment 2.2)** from all people, who are identified in the above step, and keep it in a secure place.
 - a. Provide an opportunity for a person to give an explanation if a MPD is not provided or it reveals that the person does not 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.

3. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
4. Ask the people identified in step 1 to provide a national police check.
 - a. For information on what is involved in collecting people's Police Checks, please see 'Attachment 2.3: Procedures for obtaining and assessing criminal history information'.
 - b. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If we are unsatisfied, we will not appoint them to the role/position.

5. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy.

If unsatisfied, we will not appoint them.

6. Decide whether to offer the person the position taking into account the result of the police check and any other information AU Sport or the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
7. Protect the privacy of any person, who is checked, and maintain confidentiality of any information obtained through the checking process.
8. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them.

For appointed persons, information will be kept on file in a secure location.

Attachment 2.2: MEMBER PROTECTION DECLARATION

AU Sport has a duty of care to all those associated with it. As a requirement of the Member Protection Policy, AU Sport must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I (name)
of (address)
born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children, acts of violence or alcohol related.
3. 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, acts of violence or alcohol related.
4. To my knowledge, there is no other matter that the AU Sport may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the General Manager of AU Sport and the President of my club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory of*

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:

Attachment 2.3 Procedures for obtaining and assessing criminal history information

As stated in the 'AU Sport Screening Process', a Criminal History Check/Police Check is required for those coaching, supervising, having regular unsupervised contact with people under the age of 18 years or access to their personal details. It is important that clubs take steps to ensure their safety and wellbeing and conducting criminal history checks is one effective way to do this.

As a club volunteer, you may need to have a Criminal History Check/Police Check undertaken for your Club. AU Sport provides the opportunity for you to obtain this Criminal History Check/Police Check free of charge if you are working with vulnerable groups (i.e. minors; those with a disability and international students).

Step by step process:

1. AU Sport Club volunteers, who need a police check, must fill out the form available on;
http://www.police.sa.gov.au/sapol/services/information_requests/police_checks.jsp

or via AU Sport at: www.theblacks.com.au/clubresources

The form may either be completed online or printed. Leave '**VOLUNTEER AUTHORITY**' section blank.

2. The form must be signed by a **SAPOL employee** (ie be taken to a police station) or by a **Justice of the Peace** who must sight the 100 points of identification, as listed on Page 2 of the form.
3. Once this is completed, take the form to AU Sport where an approved VOAN Authorised Officer (staff) will complete the VOAN section on the form and record basic detail from the form including: date, name, AU Sport club, approved to volunteer, date of police sighting and role at club.
4. AU Sport staff will then **forward the application to SAPOL** on behalf of the applicant.
5. The National Police Certificate will be posted to the applicant, who then ensures it is **sighted by their AU Sport Club.**

Department for Communities and Social Inclusion (DCSI) Screening and Background Checks

In small number of situations, a National Police Clearance will not be satisfactory to meet screen requirements for an organisation. A volunteer may be asked to undergo screening by an 'authorised screening unit' and the only authorised screening unit in South Australia is via DCSI. Common situations where a DCSI screening will be required is if you have been asked to complete the process by your State Sporting Organisation or if your club uses a school facility for training or competition, and you have completed an 'Agreement Form: For Community Use of School Facilities' and children will be involved.

A club may choose for its volunteers to undertake this level of screening as this process is more in-depth but there is a \$55 fee attached to it which the volunteer needs to cover.

For more information on DCIS process:

<http://www.dcsi.sa.gov.au/services/screening/what-kind-of-screening-do-i-need>

http://www.dcsi.sa.gov.au/_data/assets/pdf_file/0013/22234/3-Feb-2015-Child-Related-Employment-screening-Version-C-PDF.pdf

Additional information for clubs to consider:**1. Accept 'other evidence' and conduct an assessment**

A person, needing to provide a Criminal History Check/Police Check, may have previously obtained a report or letter of clearance for another purpose (such as employment or volunteering). In some cases, clubs can accept this evidence to assess a person's suitability to work with children.

Any of the following forms of evidence may be accepted to assess a person's suitability to work with children (provided it was obtained within the last three years):

- A National Police Certificate, which does not expressly state that it cannot be used as a clearance to work with children
- A letter of clearance from the DCSI Screening Unit or a valid registration document from the Teachers Registration Board
- A current interstate working with children check.

The club will need to decide whether it will accept these types of evidence and communicate the decision to all members.

In all cases, the final decision of whether to engage or retain a person to work with children rests with the club. Clubs must retain appropriate records as evidence that decisions made by your club are rigorous, defensible and transparent.

2. Who is not allowed to work with children?

It is up to the club to decide if someone's criminal history should preclude them from being hired or continuing to act in their current role. This must be determined on a case by case basis. Even if a police check reveals a criminal record, it may still be acceptable for a person to work with children. When making an assessment of risk based on a person's criminal history, clubs should consider the seriousness and relevance of the conviction, the level of access the person has to children and the length of time since the conviction.

In assessing a person's suitability to work with children, clubs must adhere to the standards and guidelines set out in the [Child safe environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children](#) issued by the Chief Executive of the Department for Education and Child Development under Section 8A (j) of the Children's Protection Act 1993.

In general, a person convicted of an offence involving serious violence, sexual assault, or where a child was the victim, would not be regarded as suitable to work with children. Clubs must also consider the relevance of the conviction to the job role. For example, where a position involves the transport of children, a history of road traffic offences involving unsafe driving would generally be a bar to employment/supervisory duties. In some cases, a long period of good behaviour since conviction may be sufficient to "wipe the slate clean". However, no general rule or rule of thumb can replace the need for an examination of the facts of the individual case. If unsure, it is recommended that AU Sport be contacted on the matter.

Under the Child Sex Offenders Registration Act 2006, some people are absolutely prohibited from working with children because they have been convicted of serious offences against children (generally sex offences or offences of violence with a sexual element).

Procedural fairness and records management

All AU Sport Clubs must ensure procedural fairness throughout the assessment and decision making process. The decision to retain the services of a person with recorded convictions should be rigorous, defensible and transparent.

Procedural fairness, in practice, means that your club must provide people with an opportunity to:

- confirm their identity
- confirm the accuracy of any associated criminal history report or dispute its contents.

If a person's criminal history report indicates a criminal history, they should be given an opportunity to provide further information, such as details of the conviction or offence and the circumstances surrounding the offence, before you assess the criminal history information.

Additional ways you can observe the principles of natural justice include:

- ensuring that the assessment process is accessible for everyone
- giving the person the opportunity to provide information regarding their criminal history, or other information or references, and to consider this information
- informing the person of any proposed decision to be made about them
- providing the rationale for the decision
- giving them the right to have a full criminal history assessment decision reviewed in some circumstances by an independent body (ie the AU Sport appeals tribunal)

Any decision that a South Australian organisation makes may be reviewable by the [Human Rights Commission](#).

3. Records management

In line with AU Sport's 'Privacy Policy', there are specific requirements for storing and recording information obtained through conducting criminal history assessments. AU Sport and clubs must ensure that information is protected & confidentially stored and safeguards are in place to protect against loss, unauthorised access, modification, disclosure or other misuse.

AU Sport and clubs should not retain a criminal history report once a decision has been made regarding a person's suitability to work with children. Criminal history reports should never be retained for more than three months.

As evidence that decisions made by AU Sport or clubs are rigorous, defensible and transparent, AU Sport and clubs should retain the following information regarding its decision:

- that a criminal history report was obtained
- how the criminal history information affected the decision making processes
- statutory declarations (where applicable).

A simple 'criminal history assessment' template, which captures the information that must be retained by organisations, could look like this:

Name	Position	Police Certificate Reference Number (or other acceptable evidence)*	Date of certificate or other evidence*	Date for renewal**	Cited by: (name, position with in club)
Eg: John Smith	Head Coach	RQT007	01/01/2014	01/01/2017	Kelly John, Club Secretary

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

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