

CHILD PROTECTION POLICY

1 PURPOSE:

The purpose of this policy is to outline how Lake Macquarie Rowing Club Inc. (LMRC) applies its legal and moral responsibility to provide positive and safe environments for children involved in rowing and associated LMRC activities by providing a firm and open commitment to child protection and adopting procedures and practices that will minimise the risk of a child being abused.

In short, child abuse is not acceptable and LMRC will not tolerate such behaviour from members, coaches, or supporters.

2 SCOPE & APPLICATION:

Child protection involves keeping children safe from abuse and protecting them from people who are unsuitable to have contact with children, enabling children to participate in activities that are an integral part of the sport of rowing with LMRC, without being exposed to individuals who can damage their development and/or enjoyment in this sport.

LMRC shall apply processes consistent with those provided by Rowing Australia, "Member Protection Policy" 25th February, 2010; and guidelines provided by NSW Department of Sport & Recreation.

LMRC Members and Supporters associated with LMRC activities shall be committed to ensure that children are safe from any form of abuse, and to report any suspected child abuse activities.

Any child who is abused, or anyone who reasonably suspects that a child has been or is being abused by someone, is to report it immediately to the police; or contact the relevant government department for youth, family and community services; or the LMRC Child Protection representative. Refer Section: 5.

3 DEFINITIONS & RESPONSIBILITIES:

3.1 **Child / Children** - means a person / persons who are under the age of 18 years.

Young People / Person as used in 'NSW Commission for Children and Young People', means people in the 13–18 year age group.

Junior - means a person under the age of eighteen (18) years who is participating in an activity of Rowing Australia (RA) e.g. a Junior Rower.

3.2 **Child abuse** relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may also be harmed by both verbal and physical actions and by people failing to provide them with basic care.

Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).

- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

3.3 **LMRC Child Protection Representatives** (LMRC nominees are President and Vice President): are directly responsible for handling any child abuse complaints and to ensure appropriate investigation as outlined by RA, and referral to the authorities. Should any member or supporter have any concerns or conflict regarding the LMRC Child Protection Representatives, any preferred LMRC Committee member may assume interim responsibilities, otherwise direct referral to appropriate Rowing Australia contact or authorities is recommended.

3.4 **LMRC** – Lake Macquarie Rowing Club.

3.5 **LMRC Committee** is responsible for the application of this Policy and to ensure its contents meets requirements as provided by Rowing Australia and NSW Department of Sport & Recreation.

3.6 **LMRC Members & Supporters** – LMRC members as defined by LMRC Inc. Rules, and supporters defined as parents, guardians, or others legitimately associated with LMRC activities - including coaches and officials.

3.7 **RA** – Rowing Australia.

3.8 **Sexual harassment** means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

3.9 **Volunteer / Student Declaration Form** – applicable NSW Sport & Recreation form, required to be completed by all volunteer coaches in accordance with WWCC guidelines.

Note that these forms are to be completed by all coaches from 16 years of age or older.

3.10 **Working with Children** - All people working with children (paid workers and volunteers) must sign a Prohibited Employment Declaration, indicating whether or not they are a prohibited person. It is an offence for a prohibited person to work with children.

3.11 **Working with Children Check (WWCC)** laws aim to prevent people who pose a risk from working with children as paid employees or volunteers.

LMRC Volunteers working with children are required to complete a Volunteer / Student Declaration form, which is held by the club, and an assessment completed regarding suitability or any further investigation / action.

It is a legal requirement that paid employees working with children have a WWCC completed.

4 **POLICY:**

4.1 **Implementation**

Processes used in the implementation of this policy include:

- Clearly prohibiting any form of abuse against children.
- Provide opportunities for our Juniors' (and their parents) to contribute to and provide feedback on their programmes / development – via their coaches or any LMRC Committee member.
- Require applicants for any paid position to sign a Background Check Consent Form. Then submit a Background Check Request Form to conduct the WWCC.
- Require LMRC members and supporters assisting in coaching as volunteers (unpaid) to complete the Volunteer / Student Declaration form (refer Attachment: A).

- Carefully selecting and screening people whose role or LMRC activities require them to have regular contact with children. (Screening procedures are outlined in section: 4.4).
- Ensuring the LMRC Code of Conduct and expectations are consistent with those of RA and are promoted, enforced, and reviewed;
- Adopting practices that reduce risks, and provide the greatest opportunity of having a child safe environment.
- Reporting processes as outlined in section: 5 of this policy.
- All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected.
- Providing education and/or information to those involved in our sport on child abuse and child protection – using sources such as Rowing NSW, and NSW Government Communities Sport & Recreation, and NSW Dept of Sport & Recreation (refer section: 6).

4.2 Taking of images of children & privacy of others

As images of children can be used inappropriately or illegally, RA and LMRC require that individuals 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 purpose for which the image will be used.

LMRC also requires the privacy of others to be respected and prohibits the use of camera phones, videos, and cameras inside changing areas, showers, and toilets.

4.3 Working with children protection requirements - background

All organisations within NSW that have people in child-related employment must meet the requirements of the Working with Children Check (WWCC).

Child related employment is work (in a paid or unpaid capacity) which primarily involves direct unsupervised contact with children.

The WWCC involves three components:

1. **Ensuring** all paid and unpaid employees sign a Volunteer / Student Declaration form, which states they are not prohibited from working with children – refer Attachment: A.
2. **Submitting** all applicants for **paid** employment to NSW Sport and Recreation for a WWCC background check. NSW Sport and Recreation only carries out checks for paid employees. A valid WWCC is required for employment within an organisation.
3. **Reporting** relevant employment proceedings for any paid and unpaid employees to the Commission for Children and Young People. A relevant employment proceeding involves any reportable conduct committed outside of work as well as in the workplace with or in the presence of a child / children.

Short-term employees (where that person is being employed for periods of less than six months and returning for short periods throughout a 12 month period) only need to be checked **once** every 12 months.

Sporting organisations are responsible for managing the WWCC process.

Individuals cannot apply for a WWCC directly.

Sporting organisations should register with NSW Sport and Recreation, providing a contact who will receive the information on the background checks.

LMRC registration details and contacts are:

- The LMRC Employer ID (as used for the NSW Working with Children Check) is 9943.
- LMRC Child Protection Representatives are the LMRC President and / or Vice President.

4.4 Child protection screening requirements

RA requires State Associations and Clubs to complete Child Protection Screening, LMRC's processes, based on RA and NSW Sport & Recreation requirements are:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years. Includes volunteers.
2. Obtain a completed Volunteer / Student Declaration form from all people who are identified in the above step and keep it in a secure place – forms shall be held by the LMRC Secretary, accessible only to a LMRC Child Protection Representative.
3. Provide an opportunity for a person to give an explanation if a Volunteer / Student Declaration form isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the Volunteer / Student Declaration form.

LMRC Child Protection Representatives will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years and if unsatisfied, LMRC will not appoint them to the role / position (paid or unpaid).

4. Where possible, check a person's referees (verbal or written) about his / her suitability for the role / position (paid or unpaid).
5. Where a paid position, LMRC shall ask the people identified in Step: 1 to sign a consent form for a national police check, and complete the following steps.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then 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 unsatisfied, LMRC will not appoint them to the role / position.
7. 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, LMRC will not appoint them to the role / position.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, LMRC will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a Volunteer / Student Declaration 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 - held by the LMRC Secretary, accessible only to the LMRC Secretary or LMRC Child Protection Representative.

5 INVESTIGATION PROCEDURE — CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. It is not the responsibility of anyone working in RA or LMRC, 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 by reporting these to the appropriate authorities.

The following is an outline from the RA Member Protection Policy of the key processes to be followed (Note: current versions of the RA Member Protection Policy shall be referenced and used when responding to any complaint):

5.1 Step 1 — Clarify basic details of the allegation

Any complaints, concerns or allegations of child abuse should be made or referred to the LMRC Child Protection Representative, and / or the CEO of Rowing Australia (RA).

The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:

- Ensure the child is safe;
- Listen to, be supportive and do not dispute what the child says;
- Reassure the child that what has occurred is not the fault of the child;
- Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
- Ensure that what the child says is quite clear but do not elicit detailed information about the abuse. You should avoid suggestive or leading questions.
- Act promptly to accurately record the discussion in writing;
- Do not discuss the details with any person other than those detailed in these procedures; and
- Do not contact the alleged offender.
- The person receiving the complaint should obtain and clarify basic details (where possible) such as:
 - Child's name, age and address;
 - Person's reason for suspecting abuse (observation, injury or other); and
 - Names and contact details of all people involved, including witnesses.

5.2 Step 2 — Report allegations of a serious or criminal nature

- Any individual or organisation to which this policy applies, should immediately report any incident of a serious or a criminal nature to the police and other appropriate authority.
- If the allegation involves a child at risk of harm, the incident should immediately be reported to the police or other appropriate government agency. We may need to report to both the police and the relevant government agency.
- The relevant State authority should be contacted for advice if there is **any** doubt about whether the complaint should be reported – refer section: 6, Links / References.
- If the child's parent/s are suspected of committing the abuse, report the allegation to the relevant government agency – refer section: 6, Links / References.
- The LMRC Child Protection Representative shall ensure the allegation is reported to the CEO of RA so that RA can manage the situation (e.g. contact the parents following advice from the authorities; deal with any media enquiries and manage steps 3 and 4).

5.3 Step 3 — Protect the child

- The CEO RA should assess the risks and take interim action to ensure the child's/children's safety. Some options could include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined.
- The CEO RA will consider the kind of support that the child / children and parents may need (e.g. counselling, help-lines, support groups).

- The CEO RA or MPIO (Member Protection Information Officer) will address the support needs of the alleged offender.
- The CEO RA should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.

5.4 Step 4 — Clarify and investigate allegation

- Seek advice from the police and relevant government agency as to whether RA should carry out its own internal investigation (in addition to any police or relevant government agency investigation).
- If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:
 - Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency.
 - If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of RA if required (example, professional counselling).
 - Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (example, professional counselling) if necessary.
 - Obtain a signed statement and record of interview from the person.
 - Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority.
 - Obtain other information that could assist in making a decision on the allegation.
- The information collected during the investigation should be made available to the relevant authorities.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

5.5 Step 5 — Record and analyse all information

- If an internal investigation was conducted under **Step 4**, the investigator will provide a report to the CEO.
- The decision-maker(s) will include the RA CEO & Board and will remain separate and at arm's length from the investigator.
- The RA CEO & Board will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

5.6 Step 6 — Undertake disciplinary action

- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, follow the procedures outlined in Attachment C6 of the RA Member Protection Policy.

- Implement any disciplinary decision recommended by the RA CEO & Board. The action should be immediate.
- Check with the relevant state government authority to see if you need to forward a report (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).
- Complete the appropriate report form in Part: E of the RA Member Protection Policy. Retain the original in a secure place and forward a copy to the CEO of Rowing Australia.

6 LINKS / REFERENCES

6.1 NSW Dept of Sport & Recreation, Child Protection in Sport & Recreation Guidelines

http://www.dsr.nsw.gov.au/assets/pubs/wwcc/cp_clubguide.pdf

6.2 Rowing Australia Member Protection Policy

http://www.rowingaustralia.com.au/docs/ra_member_protection_policy_25feb10.pdf
[Member Policy](#)

6.3 Working With Children Check

Phone: 02 9286 7219

Fax: 02 9286 7201

Email: check@kids.nsw.gov.au

Web: kids.nsw.gov.au/check

Street and mail address:

NSW Commission for Children and Young People

Level 2, 407 Elizabeth Street

Surry Hills NSW 2010

ABN: 96 991 896 913

Registration of LMRC; confirmation of Child Protection Representatives & contact details.

Child Safe Check Up – information pamphlet

[http://www.rowingnsw.asn.au/files/10-11/Final%20PDF%20-%20Child%20Safe%20Check%20Up%20\(3\).pdf](http://www.rowingnsw.asn.au/files/10-11/Final%20PDF%20-%20Child%20Safe%20Check%20Up%20(3).pdf)

6.4 NSW Sport and Recreation

Child Protection Infoline: 1300 366 407

Email: workingwithchildrencheck@dsr.nsw.gov.au

Web: www.dsr.nsw.gov.au/children

Offers a range of child protection brochures

6.5 NSW Police

Emergency: 000

Police Assistance Line: 131 444

7 days a week, 24 hours a day

6.6 NSW Department of Community Services

DoCS Helpline: 132 111

www.community.nsw.gov.au

Kids Helpline

Phone: 1800 551 800

Email: admin@kidshelp.com.au

Web: www.kidshelp.com.au

Attachment: A, **(WWCC) VOLUNTEER / STUDENT DECLARATION**



WWCC Volunteer
Student Declaration_S

Online version of above form: <https://check.kids.nsw.gov.au/volunteer-declaration.php>

Note: Volunteers who mentor disadvantaged children or who provide intimate personal care to disabled children should use the [Applicant Declaration and Consent](#) rather than the Volunteer/Student Declaration..