



### Statement of Commitment to Child Protection

Diamond Creek Basketball Club Inc (DCBC) is committed to child safety.

We want children to be safe, happy and empowered. We support and respect all children, as well as our committee members and volunteers.

We are committed to the safety, participation and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Our Club is committed to preventing child abuse, identifying risks early and removing & reducing these risks.

Our Club has robust human resources and recruitment practices for all committee members and volunteers.

Our Club is committed to regularly training and educating our committee members and volunteers on child abuse risks.

We are committed to the cultural safety of all children including those from culturally or linguistically diverse backgrounds.

We are committed to providing a safe environment for all children including those with a disability.

We have specific policies, procedures and training in place that support our leadership team, committee members and volunteers to achieve these commitments.

### Our Children

This policy is intended to empower children who are core to our Club. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our Club, and people from all walks of life and cultural backgrounds are welcome. Specifically, we promote the cultural safety, participation and empowerment of children from culturally or linguistically diverse backgrounds and ensure that children with a disability are safe and can participate equally.



## Child Protection Policy

### 1. Introduction

Everyone who participates in our Club's activities is entitled to do so in an enjoyable and safe environment. DCBC has a moral and legal obligation to ensure that, when given responsibility for young people, coaches, officials, volunteers, committee members and parents provide them with the highest possible standard of care.

DCBC is committed to devising and implementing policies so that everyone in sport accepts their responsibilities to safeguard children from harm and abuse. This means to follow procedures to protect children and report any concerns about their welfare to appropriate authorities.

The aim of the policy is to promote good practice, provide children and young people with appropriate safety and protection whilst in the care of DCBC and to allow committee members and volunteers to make informed and confident responses to specific child protection issues.

### Child

The words 'child' and 'children' in this guide refer to anyone up to the age of 18 years.

This definition is consistent with the national framework, Creating Safe Environments for Children – Organisations, Employees and Volunteers, the Commission for Children and Young People Act, the Child Wellbeing and Safety Act 2005 and the Children, Youth and Families Act 2005.

### 1.1 Policy Statement

DCBC is committed to the following:

- the welfare of the child is paramount,
- all children, whatever their age, culture, ability, gender, language, racial origin, religious belief or sexual identity should be able to participate in basketball in a fun and safe environment,
- taking all reasonable steps to protect children from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings,
- all suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately,
- all DCBC committee members and volunteers will be recruited with their suitability to work with children in mind, and will be provided with guidance and training in good practice and child protection procedures,
- working in partnership with parents and children is essential for the protection of children.



### 2. Promoting Good Practice

To provide children with the best possible experience and opportunities in basketball everyone must operate within an accepted ethical framework such as the Club's Codes of Conduct.

It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of members of the committee or participants in basketball to make judgements about whether abuse is or is not taking place. It is however their responsibility to identify poor practice and possible abuse and act if they have concerns about the welfare of the child.

Please see Appendix 2 & 3 to help you identify good and poor practice.

### 3. Children's Rights to Safety and Participation

DCBC is committed to the safety and wellbeing of all children accessing our service. We support the rights of the child and will act without hesitation to ensure a child safe environment is always maintained.

DCBC also promotes the involvement and participation of children and young people in developing and maintaining child-safe environments.

We give them a voice when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our Club, and people from all walks of life and cultural backgrounds are welcome. Specifically, we promote the cultural safety, participation and empowerment of children from culturally or linguistically diverse backgrounds and ensure that children with a disability are safe and can participate equally.

### 4. Identify and Analyse Risk of Harm

DCBC will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the club is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an members of the committee, volunteer, official, parent, player or another person.

### 5. Ensure that Adults and Children Adhere to the Codes of Conduct

DCBC will ensure that all adults are aware of and adhere to our Codes of Conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the Club's care. The club will also implement a code of conduct to address appropriate behaviour between children.

All committee members and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the Club's Codes of Conduct.



### 6. Training and Supervision

Training and education are important to ensure that everyone in our Club understands that child safety is everyone's responsibility.

Our Club's culture aims for all committee members and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our committee members and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our committee members and volunteers through ongoing supervision to develop their skills to protect children from abuse; and promote the cultural safety of children and the safety of children with a disability.

New members of the committee and volunteers will be supervised regularly to ensure they understand our Club's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to the DCBC Codes of Conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

### 7. Club Welfare Officer

It is not the responsibility of anyone working for DCBC in a paid or unpaid capacity to decide if child abuse has taken place or not. However, there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the young person. This applies BOTH to allegations or suspicions of abuse occurring within our Club's activities and to allegations or suspicions that abuse is taking place elsewhere.

DCBC will ensure that a Club Welfare Officer is appointed to look over matters concerning child safety and abuse. We expect our members and staff to discuss any concerns that they may have about the welfare of a child IMMEDIATELY with the nominated Club Welfare Officer. The Club Welfare Officer will ensure that the concerns reported to them remain confidential and that the identity of the person reporting the concern is not revealed.

The Club Welfare Officer will be required to report all the concern noted by them to the appropriate authority at Basketball Victoria who will then ascertain the appropriate course of action.



## 8. Screening and Recruitment

DCBC will ensure that all reasonable steps are taken to engage the most suitable and appropriate people to work with children. This is achieved using a range of screening measures. Such measures help us minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our Club understands that when committee members and volunteers, we have ethical as well as legislative obligations.

We encourage applications from people from culturally or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the Working with Children Check website, <https://www.workingwithchildren.vic.gov.au> for further information.

Please see Appendix 1 which state the screening processes followed by DCBC.

## 9. Induction and Training for Committee members and Volunteers

### Induction

All members of the committee and volunteers will receive formal or informal induction during which:

- A check will be made that any application forms have been completed in full, including sections on criminal records and self-disclosures,
- Any required qualifications and experience will be substantiated,
- The role requirements and responsibilities will be clarified,
- They will sign up to the Club's Codes of Conduct and the Member Protection Declaration,
- Child Protection Procedures will be explained, and training needs will be identified including, but not limited to, basic child protection awareness.

### Training

In addition to pre-selection checks, the safeguarding process includes training after recruitment to help committee members and volunteers to:

- Analyse their own practice against what is deemed good practice, and to ensure their practice is likely to protect them from false allegations,
- Recognise their responsibilities and report any concerns about suspected poor practice or abuse,
- Respond to concerns expressed by a child,
- Work safely and effectively with children.



### 10. Fair and Just Procedures for Committee Members and Volunteers

The safety and wellbeing of children is our primary concern. We are also fair and just to committee members and volunteers. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent and based on evidence.

We record all allegations of abuse and safety concerns, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we take as a Club.

### 11. Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be committee members, volunteers, officials, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

### 12. Legislative Responsibilities

DCBC takes our legal responsibilities seriously, including:

- Failure to disclose: Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
- Failure to protect: People of authority in our Club will be committing 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.
- Any committee members or volunteers who are mandatory reporters must comply with their duties.

### 13. Risk Management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

### 14. Regular Review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that our members have an opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally or linguistically diverse communities and people with a disability.



## 15. Allegations, Concerns and Complaints

Our Club takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our committee members and volunteers are trained to deal appropriately with allegations.

We work to ensure all children, families, committee members and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a reasonable belief that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

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1. A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.  
Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.
  2. Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.
  3. Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.  
See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.
  4. For example of behaviour, 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>



## Appendix 1: Screening Requirements

As required by the Basketball Victoria Member Protection By-Laws, this appendix sets out the screening process for people in our Club who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

Our Club 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 and keep it in a secure place.
- 3) 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.
- 4) Validate any relevant claims to certification or experience.
- 5) Make sure that the person being screened has a valid Working with Children Check (WWC) issued by the Victorian government. Our Club recognises two (2) exceptions to the Working with Children Check – police officers and teachers. These personnel will not be required to have a Victorian WWC for the positions identified in Step 1.



## Appendix 2: Promoting Good Practice

This attachment will help you identify what is meant by good practice and poor practice.

### Good Practice

All personnel should adhere to the following principles and actions:

- always work in an open environment, 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 equally and with respect and dignity, including those from culturally or linguistically diverse backgrounds or with a disability,
- 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 or 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 must be supervised in changing rooms always ensure parents, coaches, etc. work in pairs,
- request written parental consent if Club 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 adult,
- 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 sacrifice welfare in a desire for Club or personal achievements. This means avoiding excessive training or competition and not pushing them against their will,
- secure written parental consent for the Club to act in loco parentis, to give permission for the administration of emergency first aid or other medical treatment if the need arises,
- keep a written record of any injury that occurs, along with details of any treatment given.



## Appendix 3: 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 with children on social media platforms,
- taking unauthorised photographs of children (please Appendix 5),
- 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.

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/care 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 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.



## Appendix 4: Procedures for Responding to Suspicions and Allegations

It is not the responsibility of anyone working for our Club in a paid or unpaid capacity to decide if child abuse has taken place or not. However, there is a responsibility to act on any concerns 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/suspicions of abuse occurring within our Club's activities and to allegations/suspicions that abuse is taking place elsewhere.

This attachment explains how to respond to allegations/suspicions.

**NOTE:** Please also read 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.

### Receiving Evidence of Possible Abuse

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 they are being abused, you should:

- 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 them seriously,
- keep questions to a minimum so that there is a clear and accurate understanding of what has been said. The law is very clear 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 must 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 Club's 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,
- 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.

DCBC expects its members, including committee members and volunteers 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 Club 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.

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, DCBC committee members 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 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 'X' Basketball Club 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 DCBC President (Or Vice-President if the allegations relate to the President) will be notified to decide who will deal with any media inquiries and implement any immediate disciplinary proceedings.
- if the Club Welfare Officer is the subject of the allegation, the report will be made to the DCBC President who will refer the matter to social services.

Allegations of abuse are sometimes made sometime 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 (e.g. 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 who will ascertain whether the persons involved in the allegations has an official role in the Club or not and act accordingly.
- Maintain confidentiality on a need-to-know basis.



## Appendix 5: 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 them to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.