

Flinders Park (Junior) Football Club

Member Protection Policy



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1. Introduction

The mission of the Flinders Park (Junior) Football Club is to provide:

- an environment where all players can develop to their potential
- maximum opportunities for kids to play and develop a love of the game
- an environment that enables juniors to continue involvement in future years
- a family friendly, inclusive, safe and supportive environment.

2. Purpose of Our Policy

The main objective of our Member Protection Policy (Policy) is to maintain responsible behaviour and the making of informed decisions by participants in this club. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

3. Who Our Policy Applies To

Our policy applies to everyone involved in the club including committee members, administrators, coaches, officials, players, parents and spectators.

4. Extent of Our Policy

Our policy covers unfair decisions (e.g. team selection) and actions, breaches of our code of behaviour and behaviour that occurs at practice, in the club rooms, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

5. Club Responsibilities

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 24 months; and
- seek advice from and refer serious issues to Metro South Junior Football League Inc. (MSJFL).

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that MSJFL request to be referred to them.

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6. Individual Responsibilities

Everyone associated with our club must:

- comply with the standards of behaviour outlined in our policy;
- treat others with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

7. Protection of Children

7.1 Child Protection

The Flinders Park (Junior) Football Club is committed to the safety and wellbeing of all children and young people accessing our service. 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 and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

Flinders Park (Junior) Football Club acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. Flinders Park (Junior) Football Club aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

7.1.1 Identify and Analyse Risk of Harm

The Flinders Park (Junior) Football Club 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 organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another person.

7.1.2 Develop Codes of Behaviour for Adults and Children

The Flinders Park (Junior) Football Club will ensure that the organisation has codes of behaviour that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation will also implement a code of behaviour to address appropriate behaviour between children.

The code(s) of behaviour will set out professional boundaries, ethical behaviour and unacceptable behaviour. (See Appendix 1)

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7.1.3 Choose Suitable Employees and Volunteers

The Flinders Park (Junior) Football Club will ensure that the organisation takes 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 measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The Flinders Park (Junior) Football Club 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.

If a criminal history report is obtained as part of their screening process, the Flinders Park (Junior) Football Club will ensure that the criminal history information is dealt with in accordance with relevant state requirements. *(See Appendix 3)*

7.1.4 Support, Train, Supervise and Enhance Performance

The Flinders Park (Junior) Football Club will ensure that volunteers and employees who work with children or 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.

7.1.5 Empower and Promote the Participation of Children in Decision-Making and Service Development

The Flinders Park (Junior) Football Club will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

7.1.6 Report and Respond Appropriately To Suspected Abuse and Neglect

The Flinders Park (Junior) Football Club will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The Flinders Park (Junior) Football Club will make all volunteers and employees aware of their responsibilities under the *Children's Protection Act 1993 to make a report to the Child Abuse Report Line (13 14 78)* if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

If any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code'(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in Section 10 of this policy. This will explain what to do about the behaviour and how the Flinders Park (Junior) Football Club will deal with the problem.

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7.2 Supervision

Members under the age of 12 must be supervised at all times by a responsible adult. Our club will provide 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 12 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. If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.

7.3 Transportation

Parents/guardians are responsible for transporting their children to and from club activities (e.g. practice and games). Where our club makes arrangements for the transportation of children (e.g. for away or overnight trips), we 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)

7.4 Taking Images of Children

The Flinders Park (Junior) Football Club acknowledges that in South Australia under the Summary Offences Act 1953 a person must not engage in indecent filming. Images of children and adults should not be used inappropriately or illegally.

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

If the club uses an image of a child it will avoid naming or identifying the child or it will, 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 paedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

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8. Anti-harassment, Discrimination and Bullying

Our club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

Our club takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club (see Section 10).

9. Inclusive practices

Our club is welcoming and we will seek to include members from all areas of our community.

9.1 People with a disability

Where possible we will include people with a disability in our teams and club. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

9.2 People from diverse cultures

We will support and respect people from diverse cultures and religions to participate in our club and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

9.3 Sexual & Gender Identity

All people, regardless of their sexuality, are welcome at our club. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

9.4 Girls playing in boys teams

Our club will support girls playing in boys teams up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age our club will consider each request on an individual basis including looking at the nature of our sport and other opportunities to compete.

10. Responding to Complaints

The Flinders Park (Junior) Football Club takes all complaints about on and off-field behaviour seriously. The club has endorsed a separate Complaints Management Policy, the latest copy of which can be found at <http://www.fpfc.com.au/>.

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This document was endorsed by the Flinders Park (Junior) Football Club committee on 4th March 2014. It can be amended by the committee at any time, however in the absence of changes it will be reviewed again on 4th March 2016.

Appendix 1 – Codes of Behaviour

Refer to the Flinders Park Football Club website for the latest codes of behaviour:

<http://www.fpfc.com.au/>

Appendix 2 – Duty Statements

Refer to the Flinders Park Football Club website for the latest job descriptions:

<http://www.fpfc.com.au/>

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Appendix 3 – Screening requirements

This section covers Criminal History Assessment/Managing criminal history information of people working with children in South Australia.

A criminal history assessment is a decision about whether a person is suitable to work with children based on the person's criminal history (if any) and the assessed risk to children who access services from the organisation.

The Flinders Park (Junior) Football Club may conduct a criminal history assessment themselves or apply to a third party (such as the State Body or Screening Unit) for an assessment and letter of clearance.

The Flinders Park (Junior) Football Club undertakes to follow the Standards issued by the Department for Education and Child Development when conducting criminal history assessments. These Standards are outlined below.

Identifying affected positions

The Flinders Park (Junior) Football Club will conduct an assessment of the criminal history of every person who is, or will be, engaged to work with children in this organisation, its affiliated associations and clubs. As a first step, the Flinders Park (Junior) Football Club has identified all individuals and positions within the organisation that involve working with children. These positions are:

- Committee members
- Coaches and assistant coaches
- Team managers
- Runners
- Trainers

Procedures

The Flinders Park (Junior) Football Club has set out the following policy and supporting procedures for obtaining criminal history reports.

Existing Members and Volunteers:

- All existing members and volunteers holding a prescribed position must obtain a National Police Check by making application to the South Australian Police
- The cost of obtaining this check will be met by using the organisations VOAN
- On receipt of the check the original document must be presented to the Child Safety Officer
- The document will be assessed in accordance with the Standards and returned to the person as soon as practicable
- The criminal history assessment will be repeated every three years or as requested by the Board

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New Members and Volunteers:

- All new members or volunteers selected to fill a prescribed position must obtain National Police Check (or present a document that is less than three years old) by making application to the South Australian Police
- The cost of obtaining this check will be met by using the organisations VOAN
- On receipt of the check the original document must be presented to the Child Safety Officer
- Using a 100-point check, the Child Safety Officer will establish the true identity of the applicant
- The document will be assessed in accordance with the Standards and returned to the person as soon as practicable
- The criminal history assessment will be repeated every three years or as requested by the Board

Accepting "other evidence"

The Flinders Park (Junior) Football Club will, in lieu of undertaking a criminal history screening check as set out above, accept the following forms of evidence (obtained within the last three years) to assess a person's suitability to work with children.

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
- A Letter of clearance to work with children from a CrimTrac accredited agency: Such as the DSCI Screening Unit; Teacher Registration Board or Catholic Education Office
- An interstate working with children check, from: Queensland, Victoria or Western Australia

Acceptance of any of these checks is subject to the person completing a 100-point check, to enable the Flinders Park (Junior) Football Club to establish the true identity of the applicant.¹

The Flinders Park (Junior) Football Club may also at its discretion seek a statutory declaration for any *employee(s)* or *volunteer(s)* who have been citizens or permanent residents of another country other than Australia since turning 18 years of age.

Assessing criminal history information

In the majority of cases, a person will have no criminal history. In these cases, the assessment will be successfully completed and no further action in respect to an assessment will be required.

The Flinders Park (Junior) Football Club believes the following categories of criminal convictions present a *prima-facie risk of harm* to children. No person will be considered suitable to be employed, contracted, hired, retained, accepted as a volunteer, or allowed to undertake prescribed functions for the Flinders Park (Junior) Football Club if he or she has been convicted of:

¹ A 100-point check should include one primary document such as a Birth Certificate or International Travel Document (e.g. Current Passport) or Citizenship Certificate and must include one secondary document such as a Driver's Licence, employee identification card, Centrelink card or student identification card.

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- murder or sexual assault
- violence in relation to a child
- an offence relating to child pornography
- an offence involving child prostitution
- a child abuse offence, for example criminal neglect

The Flinders Park (Junior) Football Club believes that there can be a presumption that there is a risk of harm to children but further assessment is necessary before a decision to exclude a person can be made for the following types of criminal offences:

- sexually-motivated offences
- violence offences/assault including any form of assault which has resulted in a sentence of imprisonment
- offences relating to cruelty to animals
- any other offences against a child (including drug offences).

In addition, other criminal offences may be relevant to specific, prescribed functions, including: dishonesty offences, serious drug-related matters or serious traffic offences.

None of these offences will automatically preclude an individual from being engaged to undertake prescribed functions.

Any such person will be asked to make further application to the Screening Unit for a more thorough assessment. This cost of this screening check to be met by the individual.

The decision of this process will be deemed to be final and binding on all parties.

Ensuring procedural fairness if a person has a criminal history

Existing staff, members and volunteers:

- All existing staff, members and volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish, before the assessment is conducted.
- Prior to a decision being made, the Flinders Park (Junior) Football Club will communicate to the applicant a pending decision not to employ or engage them because of their criminal history and the reasons for this decision.
- Staff (who are also members of the Flinders Park (Junior) Football Club), members and volunteers of may request that the final assessment be referred to the Screening Unit (if it has not already been done). Which decision shall be final and binding.

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New staff, members and volunteers:

- New applicants for employment, membership and volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish before the assessment is conducted.
- The Flinders Park (Junior) Football Club will communicate to the applicant a decision not to employ or engage them or to accept their application for membership. They will not be provided with the reasons for this decision.
- There will be no appeal to this decision.

Records management

The Flinders Park (Junior) Football Club will take specific actions to store and record information obtained through conducting a criminal history assessment. This includes taking measures to ensure information is protected and confidentially stored and safeguards to protect against loss, unauthorised access, modification, disclosure or other misuse.

Criminal history information will not be retained once a decision has been made regarding the person's suitability to work with children. No criminal history information will be retained beyond three months.

The Flinders Park (Junior) Football Club will retain the following information regarding their decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

Process for dealing with members charged with, or under investigations for, a criminal offence

This process sets out the procedure that Flinders Park (Junior) Football Club will follow in the event that it becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence.

Guiding Principle: The paramount consideration is the rights, interests and wellbeing of children and their protection from harm.

Procedure

Risk Assessment

In the event that Flinders Park (Junior) Football Club becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence, the managing authority of Flinders Park (Junior) Football Club or senior appointed officers shall make a risk assessment of the risk of harm to children and consider taking protective action.

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The risk assessment will:

- Be conducted in accordance with the guidelines and principles set out under Standard 5 of the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children;
- Recognise that an investigation or charge does not mean that the person is guilty and that the matter needs to be resolved through proper legal avenues;
- Consider all matters on an individual basis and include an assessment of all relevant circumstances;
- Provide the member an opportunity to make submissions on whether he or she had been charged with an offence warranting some action, and what action should be taken;
- Be made in accordance with the principles of natural justice and procedural fairness. Assessment procedures will be transparent, documented and consistently applied;
- Not compromise any police investigations or evidence.

Outcome

Where the outcome of the risk assessment is that protective action is necessary, the Flinders Park (Junior) Football Club may:

- Control or supervise contact between the member and children
- Prevent contact between the member and children
- Remove the member from duties until the outcome of the investigation or charge is known;
- Take any other action that is necessary and reasonable in the circumstances.

Voluntary removal of member pending outcome of charge or investigation

Where the risk assessment determines that protective action is necessary against a member to safeguard and protect children, Flinders Park (Junior) Football Club will give the member the opportunity to voluntarily remove him or herself from activities until the outcome of the charge or investigation is known.

Resolution to suspend or remove member

In the event that the member will not voluntarily remove him or herself from activities until the outcome of the charge or investigation is known, the Flinders Park (Junior) Football Club will put forward a resolution to the committee to suspend or temporarily remove the member.

The outcome of the resolution will be recorded in the committee's minutes and then implemented.

The outcome recorded in the committee minutes will not contain unnecessary information relating to the investigation or charge or identify (directly or indirectly) any junior members.

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Glossary

Relevant criminal offence: means an offence that indicates a prima-facie risk of harm or that potentially indicates unsuitability to work with children.

Natural justice: means observing the following principles:

- people are entitled to be informed of allegations made against them
- all persons affected by a decision should be given the relevant information to enable an informed submission to be made to the decision-maker or person subsequently reviewing a decision
- during the review of a decision, all persons affected by a decision should have an opportunity to put their case, relevant arguments should be heard, and relevant information should be accessible to all parties
- decision-makers act fairly and impartially.

Offence that indicates a prima-facie risk of harm: has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Offence that potentially indicates unsuitability to work with children: Has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Member: means a member of the Flinders Park (Junior) Football Club.

Risk assessment in the context of child protection 'refers to a process of evaluating the information received to reach a decision about the risk of harm a person may pose to children'. (*Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*).