



Toorak East Malvern Hockey Club

Toorak East Malvern Hockey Club Child Safety Policy



TEM Child Safety Policy

1. Purpose of the Child Safety Policy and its scope

1.1. The purpose of this policy is to:

- a) Provide a statement of TEM's commitment to Child safety; and
- b) Set out TEM's Child safety processes.

1.2. This policy applies to TEM, its members, Volunteers, Staff and visitors;

1.3. Child safety is a shared responsibility among TEM, its members, Volunteers, Staff and visitors. Everyone who participates in TEM's activities is responsible for the care and protection of Children and reporting information about Child Abuse.

1.4. Should anyone wish to make any enquiries in relation to this policy, please contact the President of TEM.

2. TEM Statement of Commitment to Child Safety

2.1. TEM is committed to child safety.

2.2. TEM does not tolerate Child Abuse.

2.3. TEM:

- a) Actively works to listen to, respect and empower Children, and to encourage their participation in the sport of hockey;
- b) Has established policies and procedures that seek to protect Children from abuse, and will take all allegations and concerns very seriously and will respond to them consistently, in line with relevant policies and procedures, including as set out in this policy;
- c) Is committed to promoting and providing a safe environment for all Children regardless of background and whether or not a Child has a disability; and
- d) Is committed to regularly training and educating its members, Volunteers and Staff about Child Abuse risks.

3. Definitions

3.1. **Child** means a person who is under the age of 18 years. **Children** has a corresponding meaning.

3.2. **Child Abuse** constitutes any act committed against a Child which has a detrimental effect on



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the Child or another Child and may include, without limitation:

- a) **Physical abuse:** occurs when there is intentional use of physical force against a Child that results in, or has a high likelihood of resulting in, harm for the Child's health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating;
- b) **Sexual abuse:** occurs when a Child has suffered, or is likely to suffer harm, as a result of sexual activity, including when a Child is exploited, or used by another for sexual gratification or sexual arousal, or for that of others, whether or not the Child consents;
- c) **Serious emotional or psychological abuse:** occurs when a Child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the Child's emotional or intellectual development is, or is likely to be, significantly damaged;
- d) **Serious neglect:** occurs when a Child's physical development or health has been, or is likely to be, significantly damaged. It refers to an omission, such as depriving a Child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care; and
- e) **Loss of Trust:** occurs where there is a substantial loss of trust by a Child.

3.3. **Child protection** means any responsibility, measure or activity undertaken to safeguard Children from harm or Child Abuse.

3.4. **Child Related Activities** includes any activities including or involving a **Child** or **Children**

3.5. **Committee** means the committee of TEM.

3.6. **Member Protection Information Officer** means the TEM Member Protection Officer(s) from time to time appointed to the role by TEM.

3.7. **Member** has the same meaning as "member" under the **TEM** Constitution.

3.8. **Sexual Offence** means a criminal offence involving sexual activity or actions of indecency or any act which exposes a Child to, or involves a Child in, sexual activity or matters beyond the Child's understanding or contrary to accepted community standards. Sexually offensive behaviours include, without limitation, the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the Child to or involving the Child in pornography. It includes Child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a Child (or the Child's carer, family or supervisor) to lower the Child's inhibitions and prepare them for engagement in a sexual activity.

3.9. **Staff** means any person who is engaged (whether or not for reward) by TEM in an



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employer/employee relationship or to provide a service (including coaching) or the supply of goods.

3.10. **TEM means the Toorak East Malvern Hockey Club Inc.**

3.11. **Visitor** means any person who is not a Member, Staff or Volunteer but who is, for any reason, visiting TEM, and includes spectators, family members and friends of players, visiting umpires and officials, and members of other clubs.

3.12. **Volunteer** means a person who is performing duties on a voluntary basis for the benefit of TEM or its Members.

4. TEM Child Safety Processes: Recognising and Reporting Child Abuse

4.1. A person may in the course of association with TEM form a belief that a Child has suffered, is suffering or likely to suffer from Child abuse.

4.2. If a person is concerned about an immediate risk to a Child's safety, the person must phone "000" as soon as practicable.

4.3. If a person forms a reasonable belief or a belief on reasonable grounds that a Child is in need of protection, not falling within the terms in clause 4.2 above, the person may report the belief to the TEM President, TEM Vice President or the TEM Member Protection Information Officer.

4.4. A reasonable belief is formed if a responsible person believes that:

- a) The Child should have been protected and was not or is in need of protection;
- b) The Child has suffered or is likely to suffer significant harm as a result of Child Abuse; and
- c) The Child's parents are unable or unwilling to protect the Child.

4.5. To form a 'reasonable belief' or a 'belief on reasonable grounds', all the relevant facts should be considered objectively.

4.6. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation.

4.7. Reasonable grounds to notify include:

- a) A Child states that the Child or another Child has been the victim of Child Abuse; in which case it is not necessary to question the Child further;
- b) Someone who knows a Child states that the Child has been the victim of Child Abuse;
- c) Professional observations of the Child's behaviour or development leads a professional



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to form a belief that the Child has been the victim of Child Abuse or is likely to be the victim of Child Abuse; or

- d) Signs of abuse lead to a belief that the Child has been the victim of Child Abuse.

The abuse need not have occurred at TEM or at a TEM connected activity or function.

4.8. If a person receives information that leads that person to form a reasonable belief that a Sexual Offence has been committed in Victoria against a Child under the age of 16 years by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as is practicable. Individuals who fail to comply with this obligation under the *Crimes Act 1958* (Vic) may be subject to a penalty of imprisonment.

4.9. TEM supports and encourages a person to make a report to the Police or the Department of Health and Human Services Victoria (DHHS) if the person forms a belief on reasonable grounds that a Child is in need of protection, or they are concerned about the safety, health or wellbeing of a Child.

4.10. If a person is uncertain as to whether a matter should be reported, guidance can be sought from the TEM President or the TEM Member Protection Information Officer.

5. TEM Child Safe Processes: TEM Response to a Report of Child Abuse

5.1. On receipt of a report or allegation of Child Abuse, TEM will:

- a) Refer the report or allegation to the Police where an offence may have been committed or there is a concern about an immediate risk to the Child's safety;
- b) Withdraw the accused person from TEM activities where it is within the power of TEM to do so and appropriate to do so;
- c) Investigate the report or allegation in accordance with procedural fairness;
- d) Deal with the report or allegation in a confidential manner to the greatest extent possible;
- e) Co-operate with the Police and DHHS in relation to any investigation conducted by these authorities.

6. TEM Child Safe Processes: Responsibilities of the TEM Committee

6.1. The TEM Committee will ensure that:

- a) It takes a leadership role in ensuring Child safety is of paramount importance within TEM;
- b) All members of the TEM Committee have read and understand this policy, as it is



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updated from time to time;

- c) This policy and any updated policy is published in a location that is easily accessible by all TEM members, Volunteers and Staff;
- d) TEM has a process for implementing the requirement for Working With Children Checks in clause 10.1; and
- e) Child safety risks are adequately identified and managed at Committee level.

7. TEM Child Safe Processes: Training, Education and Communication

7.1. TEM will use its best endeavours to ensure that:

- a) The Committee, Members, Volunteers and Staff participating in Child Related Activities, including people who are working with junior players in junior and senior teams, and the TEM Member Protection Information Officer undertake training in relation to identifying Child Abuse risks and how to manage them., (**Training**).
- b) It provides ongoing training for the Committee, Members, Volunteers, and Staff participating in Child Related Activities, including people who are working with junior players in junior and senior teams, and the TEM Member Protection Information Officer.
- c) All new Staff and Volunteers will be made aware of the Policy.
- d) All new junior Members and their parents joining TEM will receive a copy of the Policy.

8. TEM Child Safe Processes: Specific Guidance for Juniors

- 8.1. **Change Rooms and Toilets** - Adult Members, Members, Volunteers, and Staff, regardless of gender, should only enter change rooms and toilets with a Child or Children if accompanied by another adult. Prior to entering change rooms or toilets, every such person should notify the people in the change room or toilet of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians in a room with their own Child, unless other Children are present in the change room at the same time.
- 8.2. **Hotel rooms and other accommodation and General Proximity (if applicable)** - No Member, , Volunteer, and/or Staff should be alone in the room of a Child or should separate the Child from the group by a noticeable distance without the presence of another adult. The doors should always be open and the Member, Volunteer, Staff should always be within sight of another adult. Should it be necessary for a Member, Volunteer, or Staff to be alone with a Child, the team manager or other responsible adult must be informed. For the avoidance of doubt, this requirement does not apply to parents/legal guardians in a room with their own Child, unless other Children are present in the change room at the same time.
- 8.3. **Travel** - All persons, including team members, Volunteers and officials over 18 years of age retain an overriding responsibility for the safety and welfare of all Children they accompany



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during team travel activities.

8.4. **Sexual Relationships**– It is strictly prohibited for any Member, Volunteer, Staff or any other person over the age of 18 and acting in a position of responsibility, including when they are travelling with a TEM team that includes a Child or Children, to engage in any conduct of a sexual nature with any Child. Conduct of a sexual nature by any such person includes, without limitation: inappropriate conversations of a sexual nature, obscene language of a sexual nature, or suggestive remarks and/or actions.

8.5. **Coaches and Team Managers** - All coaches and team managers of any TEM hockey team must ensure that any physical contact with Children that occurs in relation to coaching and/or team management is appropriate for the situation. It is strongly recommended that:

- a) Coaches and team managers ensure that there are other adults present whenever coaching;
- b) Coaches and team managers take care to explain the procedure to the Child prior to beginning any physical contact, noting that a different explanation may be necessary for Children of different age or hockey experience; and
- c) Except in an emergency, coaches and team managers obtain consent from the athlete prior to beginning any physical contact

9. TEM Child Safe Processes: Recruitment

9.1. The minimum standard for background checks of applicable TEM Members, Volunteers, coaches, and Staff is the law as it applies in Victoria. TEM may, in its discretion, require additional reference checks, as it thinks fit.

9.2. TEM will use best endeavours to undertake a comprehensive recruitment and screening process for Staff before their engagement and for Volunteers, which aims to:

- a) Promote and protect the safety of all Children who participate in the activities of TEM;
- b) Identify and recruit the most suitable candidates who share TEM values and commitment to protect Children; and
- c) Prevent a person from being engaged by TEM if he or she poses an unacceptable risk to Children.

9.3. As part of the screening and recruitment process, an applicant must provide appropriate evidence, including but not limited to a Working With Children Check (WWCC) or other state equivalent or Police check, to show that they are suitable to work with Children at TEM.

10. TEM Child Safe Processes: Working With Children Check (WWCC)

10.1. The following people must have a valid WWCC or other State equivalent or a Police Check:



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- a) Committee members;
- b) All TEM coaches, team managers, age group co-ordinators and umpires involved in junior teams and in senior team which include Children;
- c) Members participating in a Child Related Activity;
- d) Staff and Volunteers participating in a Child Related Activity; and
- e) Anyone else required by TEM to obtain a WWCC.

10.2. TEM will provide all persons, including Members, Volunteers and Staff, with access to this policy, by publishing it on TEM's website or displaying in the TEM club house.

11. TEM Child Safe Processes: Breach of this Policy

11.1. TEM takes any breach of this policy very seriously. In determining an appropriate sanction for a breach, TEM may refer to and adopt any process or sanction from any or all of the following, depending upon the nature and severity of the breach:

- a) TEM Member Protection Policy;
- b) Any other relevant TEM policy; and/or
- c) TEM Constitution.

12. Privacy

12.1. TEM is committed to respecting the privacy of all individuals, including of Members, Volunteers, Staff and Children, unless there is a risk to someone's safety.

13. Review Process

13.1. TEM will review this policy on a biennial basis. Updated policies will be circulated via the TEM webpage, or other accessible location.

13.2. Feedback in relation to this policy can be provided to TEM by sending an email to the following address: secretary@tem.org.au

14. Related Documents & Legislative Requirements

14.1. This policy should be read in conjunction with:

- a) The laws of the Commonwealth and of Victoria including but not limited to:
 - i. *Children, Youth and Families Act 2005* (Vic);



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- ii. *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* (Vic);
 - iii. *Crimes Act 1958* (Vic); and
 - iv. *Working with Children Act 2005* (Vic)
- b) TEM policies and procedures, including but not limited to:
- i. Privacy Policy;
 - ii. Constitution;
 - iii. Member Protection Policy;
 - iv. Hockey Victoria Child Safety Policy; and
 - v. Hockey Victoria's Rules and Regulations.