



POLICY NAME	Child Safe Policy
DATE OF ISSUE	June 2023
POLICY COVERAGE	All club activities including Tackers courses
DATE OF REVIEW	Annual review prior to season start.
CONTROLLING BODY	Kingston Beach Sailing Club

1. INTRODUCTION

- 1.1. Kingston Beach Sailing Club (here after known as KBSC) is committed to ensuring that children and young people who participate in its activities have a safe and happy experience. KBSC supports and respects children, young people, staff, volunteers and participants.
- 1.2. The aim of KBSC 's Child Safe Policy (the Policy) is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are Raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints will be treated seriously and fully investigated and handled with maximum confidentiality and discretion.
- 1.3. Should a person wish to make any enquiries in relation to this Policy, please contact the Kingston Beach Sailing Club, The Commodore, Email: commodore@kbsc.org.au
- 1.4. If a Member Protection Information Officer is not appointed the club Commodore will assume the role.
- 1.5. Further information regarding child protection is available at the following address:
http://www.dpac.tas.gov.au/__data/assets/pdf_file/0008/228680/Child_Protection.pdf

2. POLICY STATEMENT

- 2.1. KBSC is committed to providing the highest level of membership service. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering the (Organisation)'s activities while acting in the best interests of children in the sport.
- 2.2. Specifically, KBSC considers that the health, safety and well-being of children take priority over all other competing considerations. KBSC considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, KBSC and its affiliate members.

- 2.3. KBSC has a zero tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation etc.
- 2.4. Child protection is a shared responsibility between KBSC, its associates, parents/guardians, instructors, spectators, volunteers and members of the KBSC community. Everyone that participates in KBSC's activities is responsible for the care and protection of children, and reporting information about child abuse.
- 2.5. KBSC supports the active participation of all children. It listens to their views, respects their views and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).
- 2.6. KBSC is also committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.
- 2.7. KBSC promotes fairness and consideration for all staff, volunteers and participants. For further details please refer to the KBSC Member Protection Policy.

3. SCOPE

- 3.1. This Policy applies to participants, parents, spectators, officials, instructors, judges and staff throughout all KBSC events and activities.
- 3.2. This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with KBSC.
- 3.3. KBSC will comply with overarching policies and guidelines in relation to Child Safety as communicated from Australian Sailing.

4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS

- 4.1. This Policy must be read in conjunction with:
 - 4.1.1. the law of the Commonwealth and Tasmania including but not limited to:
 - 4.1.1.1. Child Protection Act 1974
 - 4.1.1.2. Children, Young Persons and Their Families Act 1997.
 - 4.1.1.3. Work with Vulnerable People Act 2013 (Act)
 - 4.1.2. KBSC policies and procedures, including but not limited to;
 - 4.1.2.1. Constitution;
 - 4.1.2.2. Member Protection Policy;

DEFINITIONS

- 4.2. **Child** means a person involved in the activities of KBSC and under the age of 18 years unless otherwise stated under the law applicable to the child.
- 4.3. **Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.
- 4.4. **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 his or her understanding or contrary to accepted community standards. Sexually offence behaviours can include 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 offence.
- 4.5. **Mandatory reporter** means a person who is legally required to make a report to the Department of Human Services or the Police if they form a belief on reasonable grounds that a child is in need of protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.

5. RECOGNISING AND REPORTING CHILD ABUSE

- 5.1. A person may, in the course of participating in the sport or other activities of KBSC or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.
- 5.2. If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.
- 5.3. **Child abuse** can be divided into four categories:
- 5.3.1. **Physical abuse:** occurs when a child has suffered, or is likely to suffer, significant harm as a result of a physical injury, such as a non-accidental physical injury.
 - 5.3.2. **Sexual abuse:** occurs when a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.
 - 5.3.3. **Emotional and 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; and
 - 5.3.4. **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.
- 5.4. Child abuse includes any actions that results in actual or potential harm to a child, in circumstances where the child's parents have not protected, or are unlikely to protect, the child.

5.5. Reasonable grounds for belief

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

5.5.1.1. the child is in need of protection;

5.5.1.2. the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and

5.5.1.3. the child's parents are unable or unwilling to protect the child.

5.5.2. To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there is any other related matters known regarding the alleged perpetrator.

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

5.5.4. You will have reasonable grounds to notify if:

5.5.4.1. a child states that they have been physically or sexually abused;

5.5.4.2. a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);

5.5.4.3. someone who knows a child states that the child has been physically or sexually abused;

5.5.4.4. professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or

5.5.4.5. signs of abuse lead to a belief that the child has been physically or sexually abused.

5.6. Voluntary Reporters

5.6.1. Any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, *may* disclose that information to the Police or Child Protection Advice and Referral Service on 1800 737 639.

5.7. Reporting Child Sexual Abuse

5.7.1. If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Tasmania 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 it is practicable. Anyone who reasonably suspects that a child is or has been abused or neglected must report this to the Child Protection Advice and Referral Service on 1800 737 639 and/or to police

5.7.2. KBSC supports and encourages a person to make a report to the Police or Child Protection Advice and Referral Service if they form 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.

- 5.7.3. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by KBSC, and will not be penalised by KBSC for making the report.
- 5.7.4. If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the KBSC Commodore for guidance and information. If in doubt, ask for assistance.
- 5.7.5. If an allegation is made against a member of staff or volunteer, KBSC take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation, working from home, or any other measures deemed appropriate depending on the seriousness of the allegation.
- 5.7.6. KBSC will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.
- 5.7.7. KBSC will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.
- 5.7.8. KBSC will keep a register of any allegations regarding inappropriate conduct.

6. ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN

- 6.1. Personnel involved in protecting children include the board, management, staff and volunteers within the Organisation. Those people have responsibilities in relation to protection of children and are expected to:
 - 6.1.1. understand the rights of children, as appropriate to their role;
 - 6.1.2. respect the cultural and religious practices of families who access KBSC's services, programs or events;
 - 6.1.3. understand and appropriately respond to the needs of children with developmental delays or disabilities;
 - 6.1.4. appropriately act on any concerns raised by children;
 - 6.1.5. understand the definitions, indicators and impact of child abuse;
 - 6.1.6. know and follow regulations in relation to the care of children;
 - 6.1.7. co-operate with police and/or other formal investigations to the best of their ability; and
 - 6.1.8. not harm or exploit children who access KBSC's services.

7. CHILD SAFE AND CHILD FRIENDLY GUIDELINES TO PREVENT AND MANAGE RISKS OF CHILD ABUSE

7.1. Change Rooms

- 7.1.1. Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

7.2. Adults under investigation

- 7.2.1. Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to jeopardise their Working With Children Check (WWVP) (or if based in another State the equivalent requirement) status may be prohibited, by the KBSC General Committee, from participating in KBSC activities.

7.3. Coach Assistance

- 7.3.1. All instructors and assistant instructors must ensure that all physical contact with students which occurs when coaching is appropriate for the situation and necessary for the student's safety. It is strongly recommended that:
 - 7.3.1.1. instructors ensure that there are other adults present whenever coaching;
 - 7.3.1.2. instructors take care to explain the procedure to the child prior to beginning any physical contact; and
 - 7.3.1.3. instructors obtain consent from the child prior to beginning any physical contact.

8. ENGAGING NEW PERSONNEL

- 8.1. The minimum standard for background checks of employees and volunteers of KBSC and its members is the law as it applies in Tasmania.
- 8.2. KBSC undertakes a screening process for all staff and volunteers which aims to:
 - 8.2.1. promote and protect the safety of all children who participate in the activities of KBSC;
 - 8.2.2. identify and recruit the safest and most suitable candidates who share KBSC's values and commitment to protect children; and
 - 8.2.3. prevent a person from working at KBSC if they pose an unacceptable risk to children.
- 8.3. As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g. WWVP or other state equivalent and/or Police check) to show that they are suitable to work with children and young people in a recreational setting.
 - 8.3.1. the following key event personnel must have a valid WWVP:
 - 8.3.1.1. instructors and assistant instructors;
 - 8.3.1.2. all committee members

8.3.1.3. anyone else who KBSC General Committee feel requires a WWVP due to the nature of the work that they are undertaking for KBSC.

8.4. KBSC will exercise discretion and may require applicants to provide a Police check in accordance with the law and as appropriate, before they commence their engagement and during their time with KBSC in regular intervals.

8.5. Once engaged KBSC will provide members and volunteers with access to this policy and members and volunteers must review and acknowledge their understanding of this policy.

9. RISK MANAGEMENT APPROACH

9.1. Child safety is a part of KBSC's overall risk management approach.

10. POLICY BREACHES

10.1. It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have done anything contrary to this policy. Any person who may breach this policy is subject to disciplinary action as decided by the General Committee.

11. POLICY PROMOTION

11.1. This policy will be made available to all members via KBSC website.

11.2. This policy will be communicated to all members, instructors, volunteers and Committee members via email and induction processes.

12. REVIEW PROCESS

12.1. This policy will be reviewed by the KBSC General Committee on an annual frequency prior to the start of each season.

12.2. If you would like to provide KBSC with any feedback or suggestions to improve this policy, please contact KBSC Commodore, commodore@kbsc.org.au

12.3. In addition to the regular review of this policy, recommendations for changes to the policy may be submitted to the Board for consideration at any time. In the event that changes are accepted, the policy will be updated, and circulated to all stakeholders via the webpage, bulletin and other appropriate communication channels.