

Port Football & Community Sporting Club



MEMBER PROTECTION POLICY

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[MEMBER PROTECTION POLICY]

1. Introduction

The Port Football & Community Sporting Club is committed to providing an environment safe for children that is free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.

This policy provides a code of behaviour forming the basis of appropriate and ethical conduct which everyone must abide by.

The Port Football & Community Sporting Club is committed to ensuring that everyone associated with the Port Football & Community Sporting Club complies with the policy.

2. Purpose of Our Policy

The main objective of our Member Protection Policy is to maintain responsible behaviour and ethical and informed decision-making by participants in this club. This policy 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, volunteers, players, parents and spectators.

4. Extent of Our Policy

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

5. Club Responsibilities

We will:

- make any necessary amendments to our Constitution, rules or other policies to enable this policy to be enforceable;
- 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 12 months; and
- seek advice from, and if necessary or appropriate, refer serious issues to the Spencer Gulf Football League

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 our state or national body request to be referred to them (e.g. conflict of interest).

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 **Port Football & Community Sporting 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.

The **Port Football & Community Sporting Club** acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. The **Port Football & Community Sporting 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 **Port Football & Community Sporting 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.

7.1.2 Develop Codes of Conduct for Adults and Children

The **Port Football & Community Sporting Club** will ensure it has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The club will also implement a code of conduct to address appropriate behaviour between children.

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

7.1.3 Choose Suitable Employees and Volunteers

The **Port Football & Community Sporting Club** will ensure it 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.

If a criminal history report is obtained as part of their screening process, the **Port Football & Community Sporting Club** will ensure that the criminal history information is dealt with in accordance with the standards developed by the Chief Executive, Department for Families and Communities.¹ (See Attachment 2)

7.1.4 Support, Train, Supervise and Enhance Performance

The **Port Football & Community Sporting 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 **Port Football & Community Sporting Club** will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

¹ Families and Communities (2007) *Child Safe Environments: Principles of Good Practice & Suggested Implementation Guidelines and Indicators*. Adelaide: DFC.

7.1.6 Report and Respond Appropriately to Suspected Abuse and Neglect

The **Port Football & Community Sporting Club** will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The **Port Football & Community Sporting Club** will make all volunteers and employees aware of their responsibilities under the *Children's Protection Act 1993* 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 this policy. This will explain what to do about the behaviour and how the **Port Football & Community Sporting Club** will deal with the problem.

7.2 Supervision

Members under the age of 18 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 18 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

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 over night 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 **Port Football & Community Sporting 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 pedophiles 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.

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, Responding to Complaints).

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 Pregnancy

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport. We recommend pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

9.5 Girls playing in boys teams

If there is not a separate sex competition, 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

10.1 Complaints

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to the Member Protection Information Officer (MPIO) of the *Spencer Gulf Football League*.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club will need to report the behaviour to the police and/or relevant government authority and our state/national body.

10.2 Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (e.g. President, Complaints Officer) will:

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; utilizing Attachment 5 and
- maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the person complaining to talk to the person being complained about
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g. Office for Recreation and Sport, and Play By The Rules.);
- referring the complaint to the Spencer Gulf Football League ; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to the Spencer Gulf Football League and an inquiry is conducted, the club will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on the Spencer Gulf Football League recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

10.3 Disciplinary Measures

Our club will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

10.4 Appeals

The complainant or respondent can lodge one appeal against decisions or disciplinary measures imposed by our club to the Spencer Gulf Football League. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

Attachment 1: CODES OF BEHAVIOUR

The Codes of Behaviour outlined below have been derived from the **AFL Next Generation Junior Match Policy**.

Players

- Play by the rules: they are there for the good of all.
- Never argue with an official: if you disagree, discuss the matter with your coach or teacher after the game.
- Control your temper: verbal abuse, racial or religious vilification of other players, and provoking an opponent or the other team are never appropriate.
- Be a good sport: applaud all good plays by your team, opponent or the opposition team.
- Treat all players fairly: treat all players as you would like to be treated. Do not interfere with, bully or take unfair advantage of another player.
- Cooperate willingly: cooperate with your coach, teammates and opponents. Without them there would be no game.
- Play for fun: Play for the 'fun of it' and not just to please parents and coaches.

Coaches' Code of Conduct (as signed by accredited coaches)

- I will respect the rights, dignity and worth of all individuals within the context of my involvement in Australian Football, including refraining from any discriminatory practices on the basis of race, religion, gender, ethnic background or special ability/disability.
- I will abide by and teach the AFL Laws of the Game and the rules of my club and league/association.
- I will be reasonable in the demands I make on the time commitments of the players in my care, having due consideration for their health and well-being.
- I will be supportive at all times and I will refrain from any form of personal or physical abuse or unnecessary physical contact with the players in my care.
- I will have due consideration for the varying maturity and ability levels of my players when designing practice schedules, practice activities and involvement in competition.
- Where I am responsible for players in the 5-18-year-old age group, I will strive to ensure that all players gain equal playing time. I will avoid overplaying the talented players, aiming to maximise participation, learning and enjoyment for all players regardless of ability.
- I will stress and monitor safety always.
- In recognising the significance of injury and sickness, I will seek and follow the physician's advice concerning the return of injured or ill players to training.
- I will endeavour to keep informed regarding sound principles of coaching and skill development, and of factors relating to the welfare of my players.
- I will at all times display and teach appropriate sporting behaviour, ensuring that players understand and practise fair play.
- I will display and foster respect for umpires, opponents, coaches, administrators, other officials, parents and spectators.
- I will ensure that players are involved in a positive environment where skill learning and development are priorities and not overshadowed by a desire to win.
- I reject the use of performance-enhancing substances in sport and will abide by the guidelines set forth in the AFL Anti-Doping and Illicit Drugs policies.

I agree to the following terms:

- I agree to abide by the AFL Coaches' Code of Conduct.

- I acknowledge that the AFL, or a body affiliated with the AFL, may take disciplinary action against me if I breach the code of conduct. I understand that the AFL, or a body affiliated with the AFL, is required to implement a complaints handling procedure in accordance with the principles of natural justice in the event of an allegation against me.
- I acknowledge that disciplinary action against me may include de-registration from the AFL National Coaching Accreditation Scheme.
- Note: The Coaches' Code of Conduct is to be signed and followed as part of the accreditation requirements of the AFL. Coaches should be aware that, in addition to the Code, they may be obliged to sign a further code of conduct/ethics with their club and/or league.

Parents/Spectators

- Remember children play sport for their enjoyment, not yours.
- Encourage children to participate, do not force participation upon them.
- Focus on your children's efforts and self-esteem rather than whether they win or lose
- Encourage children to always participate according to the rules.
- Never ridicule or yell at children for making a mistake or if their team loses a game.
- Remember children learn best by example – applaud the efforts of all players in both teams.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Show appreciation of volunteer coaches, officials and administrators – without whom your child could not participate.
- Respect umpires' decisions and teach children to do likewise.
- Remember smoking and the consumption of alcohol is unacceptable at junior sport.

Administration/Officials

- Ensure equal participation for all: provide equal opportunities for all regardless of ability, size, shape, sex, age, disability or ethnic origin.
- Suitability of program: ensure that the rules, equipment, length of games and training schedules take into consideration the age, ability and maturity level of the participants.
- Ensure adequate supervision: adequate supervision must be provided by qualified and competent coaches and officials capable of developing appropriate sports behaviour and skills.
- Stress enjoyment: remember children participate for enjoyment. Play down the importance of rewards.
- Arrange adult education: develop improved standards of coaching and officiating with an emphasis on appropriate behaviour and skills.
- Promote fair play: ensure parents, coaches, officials, sponsors, physicians and participants understand their responsibilities regarding fair play.
- Modify to suit various levels: modify rules and regulations to match the skill level of participants and their needs.
- Promote respect for opponents: condemn unsporting behaviour.
- Maximise enjoyment: publicly encourage rule changes that will reinforce the principle of participating for fun and enjoyment.
- Keep up to date: make a personal commitment to keep informed of the sound principles of administering recommended football programs for junior players.
- Schedule practice activities and involvement in competition.
- Where I am responsible for players in the 5-18-year-old age group, I will strive to ensure that all players gain equal playing time. I will avoid overplaying the talented players, aiming to maximise participation, learning and enjoyment for all players regardless of ability.
- I will stress and monitor safety always.
- In recognising the significance of injury and sickness, I will seek and follow the physician's advice concerning the return of injured or ill players to training.
- I will endeavour to keep informed regarding sound principles of coaching and skill development, and of factors relating to the welfare of my players.
- I will at all times display and teach appropriate sporting behaviour, ensuring that players understand and practise fair play.
- I will display and foster respect for umpires, opponents, coaches, administrators, other officials, parents and spectators.
- I will ensure that players are involved in a positive environment where skill learning and development are priorities and not overshadowed by a desire to win.

- I reject the use of performance-enhancing substances in sport and will abide by the guidelines set forth in the AFL Anti-Doping and Illicit Drugs policies.

Further information and resources are available through the AFL Kids First program, at the following sites; www.aflcommunityclub.com.au and www.playbytherules.net.au

Attachment 2: SCREENING REQUIREMENTS

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 *Port Football & Community Sporting Club* will 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 *Port Football & Community Sporting Club* undertakes to follow the standards issued by the Department for Families and Communities when conducting criminal history assessments. These Standards are outlined below.

2.1 – Identifying affected positions

The *Port Football & Community Sporting 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, and its affiliated associations.

As a first step, the *Port Football & Community Sporting Club* has identified all individuals and positions within the organisation that involve working with children.

These positions are:

- All coaches,
- Assistant coaches,
- Team managers,
- Trainers
- and any other Match Day Official who fit one or more of the criteria as outlined.

2.2 – Procedures

The *Port Football & Community Sporting Club* has set out the following policy and supporting procedures for obtaining criminal history reports.

Obtaining a National Police Certificate (NPC)

1. Volunteers to obtain application form from the SA Police website – http://www.police.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp
2. The application must be completed online and then printed. This form cannot be saved.
3. Volunteers to go to a local police station or Justice of the Peace (JOP) with their NPC application form, photocopy of documents adding up to 100 points and the original documents to have their identity verified
4. Once identification has been verified by the police or JOP, the volunteer is to lodge the NPC application and their verified photocopied 100 point documentation with the Spencer Gulf Football League's Authorised Officer who will include the VOAN details on the application
5. The Authorised Officer sends the application to The Records Release Unit, SA Police
6. The NPC will be returned to the volunteer. Due to privacy laws the NPC can only be returned to the applicant, and no third parties
7. Volunteer to submit their NPC to their member club secretary, who will forward details to the Spencer Gulf League's Authorised Officer, who may copy or keep a record with the permission of the volunteer
8. Spencer Gulf League's Authorised Officer to return the NPC to the volunteer via their member club

Existing Staff:

1. All staff holding a prescribed position must obtain a National Police Certificate by making application to the South Australian Police.
 - a. The cost of obtaining this certificate will be covered by the *Port Football & Community Sporting Club*. (A paid employee is not entitled to a free check using the organisations VOAN.)
2. On receipt of the certificate the original document must be presented to your clubs Child Safety Officer.

3. The document will be assessed in accordance with section 2.4 and returned to the person as soon as practicable.
4. The criminal history assessment will be repeated every three years or as requested by the Board.

New Staff:

1. All new staff selected to fill a prescribed position must obtain a National Police Certificate by making application to the South Australian Police.
 - a. The cost of obtaining this certificate will be covered by the *Port Football & Community Sporting Club*. (A paid employee is not entitled to a free check using the organisations VOAN.)
2. On receipt of the certificate the original document must be presented to your clubs Child Safe Officer.
 - a. Using a 100-point check, the *Port Football & Community Sporting Club* will establish the true identity of the applicant.
3. The document will be assessed in accordance with section 2.4 and returned to the person as soon as practicable.
4. The criminal history assessment will be repeated every three years or as requested by the Board.

Existing Members and Volunteers:

1. All existing members and volunteers holding a prescribed position must obtain a National Police Certificate by making application to the South Australian Police.
 - a. The cost of obtaining this certificate will be met by *Port Football & Community Sporting Club* using the organisations VOAN.
2. On receipt of the certificate the original document must be presented to your clubs Child Safe Officer. The document will be assessed in accordance with section 2.4 and returned to the person as soon as practicable.
3. The criminal history assessment will be repeated every three years or as requested by the Board.

New Members and Volunteers:

1. All new members or volunteers selected to fill a prescribed position must obtain a National Police Certificate (or present a document that is less than three years old) by making application to the South Australian Police.
 - a. The cost of obtaining this certificate will be met by *Port Football & Community Sporting Club* using the organisations VOAN.
 - b. On receipt of the certificate the original document must be presented to your clubs Child Safe Officer. Using a 100-point check, the [CSO] will establish the true identity of the applicant.
2. The document will be assessed in accordance with section 2.4 and returned to the person as soon as practicable.
3. The criminal history assessment will be repeated every three years or as requested by the Board.

2.3 – Accepting “other evidence”

The *Port Football & Community Sporting Club* will, in lieu of undertaking a criminal history assessment as set out in 2.2, 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 DFC Screening Unit; Department of Education and Children’s Services (DECS) or Catholic Education Office.

An interstate working with children check, from: New South Wales, Queensland, Victoria or Western Australia.

Acceptance of any of these checks is subject to the person completing a 100-point check, to enable the *Port Football & Community Sporting Club* to establish the true identity of the applicant.²

² 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.

The **Port Football & Community Sporting 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.

2.4 – 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.

Offences that indicate a risk of harm

The **Port Football & Community Sporting 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 **Port Football & Community Sporting Club** if he or she has been convicted of:

- 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 following offences potentially indicate unsuitability to undertake prescribed functions.

The **Port Football & Community Sporting 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.

These types of criminal offences include:

- 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 applicant.

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

2.5 – 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 **Port Football & Community Sporting 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 **Port Football & Community Sporting Club**), members and volunteers 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.

*Existing employees who are not also members of the **Port Football & Community Sporting Club** may refer to the dispute resolution process set out by the relevant Enterprise Agreement or award for dispute resolution.*

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 *Port Football & Community Sporting 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.

2.6 – Records management

The *Port Football & Community Sporting 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 *Port Football & Community Sporting 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)

The attached criminal history assessment register will be used to record this information. (See attachment four).

2.7 - Exemptions from the requirement to conduct criminal history assessments

In accordance with guidelines the *Port Football & Community Sporting Club* has agreed to exempt the following persons from the requirement to undertake a criminal history assessment, unless that person is also involved in a function or event conducted by the *Port Football & Community Sporting Club* or its affiliated associations which involves the care of children in overnight accommodation.

- A person volunteering in an activity in which their child ordinarily participates;
- A person who volunteers who is less than 18 years of age;
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month;
- A person occupying a position in which all work involving children is undertaken in the physical presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children;
- A person who undertakes, or a position that only involves, work that is primarily provided to adults or the community generally and is not provided to any child on an individual basis;
- An organisation that provides equipment, food or venues for children's parties or events but does not provide any other services to children;
- A person who has regular contact with a child as part of an employment relationship with that child (such as a person working alongside a child or supervising an employee who is a child);
- A person who is appointed as a police officer or is a registered teacher. (Police officers and teachers are already subject to comprehensive criminal history assessments as a prerequisite for employment).

Attachment 3: CRIMINAL HISTORY ASSESSMENT FORM

Name of person	
Description of position that the person occupies or will occupy	
<p>The person provided, or consented to providing, acceptable evidence relating to their criminal history</p> <p><i>(For example, an original or certificate copy report of his/her police certificate, a letter of clearance or an interstate working with children clearance.)</i></p> <p>See Standards 1 – 4</p>	<p>Yes <i>Record type of evidence accepted (e.g. police certificate, letter of clearance, interstate clearance)</i></p> <p>No <i>A person who does not provide evidence, or consent to evidence being obtained, is precluded from engagement to work with children in a prescribed position.</i></p>
Date evidence requested	
Date evidence received	
The police certificate or other evidence disclosed no convictions	
The police certificate or other evidence disclosed a conviction requiring further assessment	
<p>The police certificate or other evidence disclosed convictions that indicate a prima-facie risk of harm</p> <p>See Standard 5</p>	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>
<p>The police certificate or other evidence disclosed convictions that potentially indicate a unsuitability to undertake prescribed functions</p> <p>See Standard 5</p>	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>

Name of Assessor (s): _____

Position/Title: _____

Signature: _____

Port Football & Community Sporting Club

Attachment 4: CRIMINAL HISTORY ASSESSMENT REGISTER

Name	Position	Police Certificate Reference Number (or other acceptable evidence)	Date of certificate or other evidence*	Date for renewal**

* This date refers to the day that the police certificate or other evidence was received and not the day the assessment was completed.

** The date of renewal is a maximum of three years from the day the police certificate or other evidence was issued.

Attachment 5: Process for dealing with members charged with, or under investigations for, a criminal offence

This process sets out the procedure that *Port Football & Community Sporting 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 *Port Football & Community Sporting Club* becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence, the managing authority of *Port Football & Community Sporting Club* or senior appointed officers shall make a risk assessment of the risk of harm to children and consider taking protective action.

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 *Port Football & Community Sporting 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, *Port Football & Community Sporting 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 *Port Football & Community Sporting 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.

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 ***Port Football & Community Sporting 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*).

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination</p> <p><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation</p> <p><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision</p> <p><input type="checkbox"/> Other</p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	