

## TRIATHLON VICTORIA

# SAFEGUARDING CHILDREN & YOUNG PEOPLE POLICY

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<b>Policy Name</b>	Safeguarding Children & Young People Policy
<b>Policy Area</b>	Member Protection
<b>Date Approved</b>	30 June 2022 (V2.0)

### 1. TITLE

The Safeguarding Children & Young People Policy is established by the Board under section 42.3.2 of the Triathlon Victoria Constitution (2013). It shall be monitored and reviewed by the TV Board and Executive Director in conjunction with the 'Triathlon Victoria Governance and Finance Committee' (TVG&F).

### 2. INTRODUCTION

Triathlon Victoria (TV) serves as the sport's governing body in Victoria, providing opportunities to children and young people (**children**) of all ages to become involved in the sport of triathlon. Across all services, sites and operations, TV takes seriously its responsibility to provide an environment for children that is caring, nurturing and safe.

We promote safety and respect diversity by:

- Actively anticipating children's diverse circumstances and responding effectively to those with additional vulnerabilities;
- Giving all children access to information, support and a clear complaints process, and
- Paying particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability and children from culturally and linguistically diverse backgrounds.

We expect everyone within our organisation, regardless of their role or level of responsibility to act to safeguard children from such harm by:

- Adopting the practices and behaviour we have set as our standard when carrying out their duties, and
- Reporting any abuse or neglect of which they become aware, to our management and/or to external authorities responsible for child protection or to police, regardless of whether that abuse is being perpetrated by employees and volunteers within our organisation, or by those outside our organisation including those from the child's family, extended family, their extended network or strangers.

### 3. PURPOSE

This policy provides guidance to the triathlon community strengthening TV's 'Statement of Commitment to Children and Young People' to ensure triathlon is a safe and inclusive sport.

#### 4. RELATED POLICIES

This Policy should be read in conjunction with the following related policies.

TV Commitment to Safeguarding Children and Young People Statement
TV Child Safety Code of Conduct
TV Volunteers – Safeguarding Children and Young People - Individual Commitment
Triathlon Australia Member Protection Policy
TV Social Media Policy
TV Performance Management and Appraisal Policy

#### 5. RELATED LEGISLATION

TV guidelines and policies comply with relevant legislation:

- Crimes Act 1958 (Vic)
- Commission for Children and Young People Act 2012 (Vic)

#### 6. OUR COMMITMENT

TV is committed to ensuring the safety and wellbeing of all children who access activities, programs, services or facilities associated with triathlon. Our policies and procedures seek to address risks to child safety and to establish a safeguarding culture and practices. Our safeguarding policies and procedures are: accessible in forms that are easy to understand; have been informed by stakeholder consultation; and are communicated to children and their families, our employees, volunteers and the general public. We regularly review our policies, gain endorsement of changes and advise our employees and volunteers of any changes.

##### **We are committed to safeguarding children & young people**

Through our Statement of Commitment, we document our clear commitment to safeguarding children from abuse and neglect. We communicate our commitment to all our employees and volunteers and provide them access to a copy of this Statement.

The TV Board endorses TV's commitment to safeguarding children people from abuse and neglect and maintains safeguarding children as a standard agenda item for each Board meeting. In particular, we are committed to safeguarding children in our care from the following forms of abuse.

#### 7. FORMS OF ABUSE

##### **Sexual Abuse**

An act in which a person with power or authority over a child uses them for sexual gratification, or a person involves a child in sexual activity or deliberately puts a child in the presence of sexual behaviours that are exploitative or inappropriate to their age and development (including grooming with intent to sexually abuse). Sexually abusing behaviour includes, but is not limited to, making sexual comments, voyeurism (including commenting on physical attractiveness), exposing a child to pornography, nudity (an abuser exposing parts of their body or the child's body), fondling or kissing, sexual penetration, or exploiting a child through prostitution.

### Physical Abuse

When a child suffers or is likely to suffer significant harm from a non-accidental injury or physically aggressive act inflicted by another person. The abuser may inflict an injury intentionally, or inadvertently as a result of physical punishment or aggressive treatment. Physically abusing behaviour includes, but is not limited to, shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking.

### Emotional or Psychological Abuse

When harm is inflicted on a child through repeated rejection, isolation or by threats of violence, to an extent where the behaviour of the child is disturbed or their physical, intellectual or emotional wellbeing and development is at serious risk of being impaired. Often there is a pattern of emotional or psychological abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts or continual coldness. Witnessing family violence is a specific form of emotional and psychological abuse and can carry with it damaging effects on a child. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of the family in a child's life.

### Neglect

When there is continued failure to provide a child or young person with the basic necessities of life, such as appropriate food, shelter, clothing, hygiene, medical attention or adequate supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.

## 8. DEFINITIONS

Term	Definition
<b>Child or Young Person</b>	<b>Child or Young Person</b> means an individual who is under 18 years of age.
<b>Policies</b>	<b>Policies</b> are guiding principles for TV. A policy is a written statement of intent and lays out the business rules under which an organisation or department will operate. Policies are mandatory, and staff are responsible to ensure they understand all relevant policies and are up to date with changes that are made to these policies.
<b>Procedures</b>	<b>Procedures</b> provide details of how the policy will be implemented. Procedures are the specific instructions necessary to perform required actions of a policy. They detail who performs the procedure, what is performed, when the function is performed and how the procedure is performed. Procedures are mandatory, and staff are responsible to ensure they understand all relevant procedures and are up to date with changes that are made to these procedures.
<b>Guidelines</b>	<b>Guidelines</b> provide additional detail of how a policy or procedure is to be implemented. It is not mandatory to have a guideline as part of a policy document. However, if one exists, then the guideline should be considered when making decisions and when following that policy or procedure.

## 9. RESPONSIBILITIES

TV is responsible for the development and endorsement of the TV Safeguarding Children and Young People Policy. The role of each entity in relation to the development and compliance of the TV Safeguarding Children and Young People Policy is detailed in the table below.

Role	Responsibility
<b>TV Board</b>	<ul style="list-style-type: none"> <li>• Promote commitment to this Policy and its expectations</li> <li>• Support policy review on an annual cycle as a minimum or at a time governed by legislation, regulations, or organisational learnings that promote a change to all relevant policy or procedural guidelines</li> <li>• Ensure adequate resources are allocated to allow for the development and effective implementation of this policy</li> <li>• Advocate child rights, empowering and engaging children and young people in support of this Policy and its expectations</li> <li>• Promote opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of child protection and member welfare</li> <li>• Ensure that employees are aware of the appropriate recruitment, screening and employment practice in relation to individuals with specific roles in working, coaching or volunteering with children and families</li> </ul>
<b>TV Employees (Permanent, casuals, contractors)</b>	<ul style="list-style-type: none"> <li>• Maintain a full understanding of the commitments and expectations of this Policy</li> <li>• To take action to protect children and young people from all forms of abuse, bullying and exploitation</li> <li>• To assist in creating and maintaining a child safe culture and a culture of inclusion and safety</li> <li>• To report any concerns or evidence in regard to the safety of children and young people who participate in our sport</li> </ul>
<b>TV member clubs &amp; committees</b>	<ul style="list-style-type: none"> <li>• Ensure all involved employees, contractors and volunteers directly engaged by the Club understand their obligations in accordance with the TV Safeguarding Children and Young People Policy and any other relevant policy documentation</li> <li>• Ensure the Club implements the TV Safeguarding Children and Young People Policy amongst their stakeholders</li> <li>• Ensure the Club appoints a Child Safety Officer</li> <li>• Ensure all Club employees and volunteers (engaged directly by the Club) in a matter relating to responding to a concern for the safety and wellbeing of a child or young person are referred to appropriate supports, such as counselling and formal debriefing</li> <li>• Share and communicate all relevant policy documentation to ensure they understand their obligations relating to the Safeguarding of Children. All clubs are accountable for implementing their own relevant policies</li> <li>• Encourage all clubs to communicate the TV Safeguarding Children and Young People Policy and all relevant policies and procedures amongst relevant member stakeholders including any relevant local community groups</li> <li>• Advocate child rights, empowering and engaging children and young people in support of this Policy</li> </ul>

## 10. REPORTING REQUIREMENTS

All breaches of this Policy are required to be reported as detailed in the following section.

Examples of persons who can report such breaches includes but is not limited to a child, parent/ guardian, staff member, volunteer, club member, teacher, etc.

### Reporting Process

Avenues to report a breach are detailed below.

<b><u>Email</u></b>	Report via email through to the State Lead Victoria, Triathlon Australia at <a href="mailto:murray.newham@triathlon.org.au">murray.newham@triathlon.org.au</a>
<b><u>Mail</u></b>	Written complaint and completion of the “TV Child Abuse Incident Report Form” found on the TV Website can be sent via mail addressed to: State Lead CONFIDENTIAL Triathlon Victoria Ground Floor Sports House 375 Albert Road, South Melbourne, 3205
<b><u>Telephone</u></b>	Contact for the State Lead Victoria. T: (03) 9598 8686 or Triathlon Australia Member Protection Officer. T: (02) 8420 8488

### Immediate Danger

If a child is at **imminent risk** of harm or in **immediate danger**, our personnel must report the situation immediately and directly to the relevant State child protection body and/or police.

	Child Protection Body
Victoria Police (Non-urgent police assistance) Ph: (03) 9247 6666 <a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>	Department of Families, Fairness and Housing Ph: 13 12 78 <a href="https://services.dffh.vic.gov.au/child-protection">https://services.dffh.vic.gov.au/child-protection</a>

We request that our personnel also inform the Executive Director, TV of any report that they make to the aforementioned authorities, to enable TV to best provide support to the child, their family and our personnel, where appropriate. All our personnel retain the right to report directly to the relevant authorities, such as police and/or child protection, any concerns that may have in relation to the safety and welfare of a child, regardless of whether or not they have also reported that matter internally.

### Statutory Mandatory Reporting

The following statutory mandatory reporting requirements apply to those personnel within our organisation as listed below (**Statutory Mandatory Reporting**).

For the avoidance of doubt, the relevant TV personnel set out below are personally obligated to observe these mandatory reporting requirements.

Relevant Legislative requirement	What must be reported and the required state of mind of the reporter	TV personnel who must comply
Section 327 of the <i>Crimes Act 1958</i> (Vic)	<p>Sexual offences must be reported.</p> <p>This legislation required that a person have 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.</p> <p>In the event of such a belief, the person is required to disclose the information to police as soon as it is practicable to do so, unless the person has a reasonable excuse for not doing so. Failure to disclose the information to police is a criminal offence.</p>	All TV personnel.

### Reporting Concerns or Allegations Regarding Child Abuse by Family or Other External Sources

TV requires all of its personnel to report any instance of Child Abuse that:

- They witness or otherwise become aware of, or develop a concern in relation to; and
- Relates to Child Abuse by a source external to TV, including a family member or guardian of the child.

The report should be made to either:

- In accordance with the 'General' requirements under this Policy, the police and/or relevant child protection authority immediately (i.e. before the end of the person's shift/ session of work); or
- To TV's Executive Director as well as the police and/or relevant child protection authority immediately (i.e. before the end of the person's shift/ session of work).

## 11. CONSEQUENCES OF BREACHING THE REPORTING REQUIREMENTS

If our personnel fail to report:

- Instances, allegations, disclosures or concerns in relation to abuse or neglect of a child – by TV personnel or by others; or
- Breaches of the TV Safeguarding Children and Young People Policy by other TV personnel.

TV views such failure as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal.

Our policy prohibits all personnel from:

- Discussing any concerns or allegations with unauthorised personnel – within or outside of TV – such prohibition not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but rather as part of TV's commitment to ensuring privacy, confidentiality and natural justice.
- Making deliberately false, misleading or vexatious allegations.

Our personnel are obliged to raise any concerns they might have in relation to:

- Our organizational policies designed to safeguard children – such as outlined in this Policy.
- Actions of other personnel within our organisation that contravene our policies, or that may otherwise have the potential to harm a child.

### **Our employees and volunteers know the behaviour we expect**

We ensure that each person involved in our delivery of services to children understands their role and the behaviour we expect in relation to safeguarding children from abuse and neglect.

TV has clear position descriptions which state relevant safeguarding requirements. We have this Policy, which is approved and endorsed from the highest levels of our organisation that outlines our expectation for behaviour towards children and young people. Our employees and volunteers are given a copy of and have access to this Policy.

### **We minimise the likelihood of recruiting a person who is unsuitable**

We have robust checks and measures in place to minimise the likelihood that we will recruit a person who is unsuitable to work/volunteer with children.

### **Induction and training is part of our commitment**

We provide our staff involved with children with information during their induction about our commitment to safeguarding children including and this Policy. We have a process for ensuring all our staff complete Safeguarding Children training.

### **We encourage the involvement of children, young people and their parents**

We communicate with children and their families regarding developing and maintaining a safe, inclusive and supportive environment. We provide information to children and their families (such as brochures, posters, handbooks, guidelines) about:

- Our commitment to safeguarding children and their rights
- The behaviour expected of our employees and volunteers
- Our policy about responding to child abuse

## **12. WE MAINTAIN AND IMPROVE OUR POLICIES AND PRACTICES**

We are committed to maintaining and improving our policies, procedures and practices to safeguard children from neglect and abuse. We have assigned the responsibility for maintaining and improving our policies and procedures to the Executive Director who is also the 'Child Safety Officer' for TV.

We monitor our employees, volunteers and external providers to ensure appropriate practice and behaviour, and that our policies are followed. We communicate with our employees and volunteers to ensure that they understand our policies and that the policies are effective in the work place or field. We require our employees and volunteers to disclose convictions or charges affecting their suitability to work

with children and young people and we review criminal history and Working with Children Checks (WWCC) periodically.

### **13. DOCUMENTATION AND CONFIDENTIALITY**

#### **Documentation**

As part of this Policy for responding to reports or allegations of Child Abuse, we have developed a Child Abuse Incident Form to be used by any of our people to document any allegation, disclosure, incident or concern regarding Child Abuse. In situations where our personnel become aware of Child Abuse whether through observation of potential indicators, such as bruises or cuts, or by directly observing potentially abusing behavior towards a child, they are required to use TV's Child Abuse Incident Form to record their observations and concerns as accurately as possible.

TV's Executive Director will oversee the creation of a file to contain the completed Child Abuse Incident Form and any other documentation relating to the allegation and subsequent action.

So as to prevent access by unauthorised persons, TV stores any documentation associated with an allegation of abuse or neglect of a child by having:

- Hard-copy documentation stored in a locked filing cabinet (or similar); and
- Electronic documentation stored in a password-protected folder (or similar).

TV maintains and regularly monitors records of Child Abuse as part of our Incident Management processes to ensure that they are responded to effectively in accordance with this Policy and that requirements for reporting to external authorities are fully complied with. These records will inform reviews of the Policy as detailed in section 13.

#### **Confidentiality and privacy**

TV maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child and/or investigation of the allegation.

### **14. COMMUNICATION OF THIS POLICY**

TV communicates this Policy and its requirements to all clubs, members, volunteers, coaches, participants, etc.

### **15. MONITORING AND REVIEW**

This document is to be reviewed at least bi-annually, in consultation with stakeholders.

Some circumstances may trigger an early review, this includes but is not limited to legislative changes, organisational changes, incident outcome and other matters deemed appropriate by the TV Board.

We retain records to document each review undertaken. Such records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

We communicate any significant alterations to these Policy requirements and resources to all personnel.



## **16. APPROVAL AND ENDORSEMENT**

TV Board's commitment to providing a safe environment for all children to whom we provide services is endorsed and approved at the highest levels of our organisation.

By order of the TV Board represented by:

NAME

SIGNATURE

POSITION

DATE