



## CHILD SAFE ENVIRONMENT POLICY

### Diamond Valley Basketball Association's Statement of Commitment to Child Safety

*The Diamond Valley Basketball Association (DVBA) is committed to child safety.*

*We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.*

*We are committed to the safety, participation and empowerment of all children.*

*We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.*

*We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.*

*The DVBA is committed to preventing child abuse and identifying risks early and removing and reducing these risks.*

*The DVBA has robust human resources and recruitment practices for all staff and volunteers.*

*The DVBA is committed to regularly training and educating our staff and volunteers on child abuse risks.*

*We are committed to the cultural safety of Aboriginal and Torres Strait Islander children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.*

*We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.*

### Child Safe Standards

All Victorian organisations that provide services or facilities to children are required by law to comply with the following Child Safe Standards:

- 1 – Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued*
- 2 – Child safety and wellbeing is embedded in organisational leadership, governance and culture*
- 3 – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously*
- 4 – Families and communities are informed, and involved in promoting child safety and wellbeing*
- 5 – Equity is upheld and diverse needs respected in policy and practice*
- 6 – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice*
- 7 – Processes for complaints and concerns are child focused*
- 8- Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training*
- 9– Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed*
- 10– Implementation of the Child Safe Standards is regularly reviewed and improved*
- 11- Policies and procedures document how the organisation is safe for children and young people*

### POLICY STATEMENT

#### 1. RATIONALE

This policy is adapted from the *Basketball Victoria Child Protection Policy Template*.

This policy is intended to empower children, who are vital and active participants in the Diamond Valley Basketball Association (DVBA). The Association involves children when making decisions, especially about matters that directly affect them. Their views are listened to and respected.

The DVBA promotes diversity and tolerance: people from all walks of life and cultural backgrounds are welcome. The DVBA:

- promotes the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children;
- promotes the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds;

- ensures that children with a disability are safe and can participate equally.

## 2. SCOPE

Everyone who participates in the DVBA's activities is entitled to do so in an enjoyable and safe environment. The DVBA has a moral and legal obligation to ensure that when coaches, officials, volunteers, staff members and parents/carers are given responsibility for children, they provide them with the highest possible standard of care.

The DVBA is committed to devising and implementing policies so that everyone in sport accepts their responsibilities to safeguard children from harm and abuse. This means to follow procedures to protect children and report any concerns about their welfare to the appropriate authorities.

The aim of this policy is: to promote good practice and provide children with appropriate safety/protection whilst in the care of the DVBA (including all of its Junior Domestic Competition Member Clubs); to allow staff and volunteers to make informed and confident responses to specific child protection issues.

All of the DVBA's Junior Domestic Competition Member Clubs must advise their own members of this policy. Clubs may also choose to develop their own specific *Child Safe Environment Policy* and distribute it to their members.

## 3. DEFINITIONS

**Child:** The terms 'child' and 'children' in this policy refer to children and young people up to the age of 18 years. This definition is consistent with the national framework, *Creating Safe Environments for Children – Organisations, Employees and Volunteers, the Commission for Children and Young People Act, the Child Wellbeing and Safety Act 2005 and the Children, Youth and Families Act 2005*. The term 'child' in this policy is inclusive of anyone under 18 years of age. Not utilising the term 'young people' is intentional to avoid diminishing any emphasis on, or acknowledgement of, the safety risks to older children or teenagers.

**Junior Domestic Competition Member Club:** any club registered for Junior Domestic Competitions with the DVBA.

**Child Safety Officer:** a member of the DVBA Board appointed to act, on behalf of the Association, as the recipient of all child protection related reports and information.

## 4. IMPLEMENTATION

The DVBA is committed to the following:

- The welfare of the child is paramount.
- All children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in basketball in a fun and safe environment.
- Taking all reasonable steps to protect children from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings.
- All suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately.
- All DVBA employees and volunteers who work with children will be recruited with regard to their suitability for that responsibility, and will be provided with guidance and/or training in good practice and child protection procedures.
- Working in partnership with parents/carers and children is essential for the protection of children.

### i) Promoting Good Practice

To provide children with the best possible experience and opportunities in basketball, everyone must operate within an accepted ethical framework such as *The Codes of Conduct*.

It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of employees or participants in basketball to make judgements about whether or not abuse is taking place. It is, however, their responsibility to identify poor practice and possible abuse and act if they have concerns about the welfare of the child.

See *Appendix 1: Promoting Good Practice*

### ii) Children's Rights to Safety and Participation

The DVBA is committed to the safety and wellbeing of all children accessing its services. DVBA supports the rights of the child and will act without hesitation to ensure that a child safe environment is maintained at all times.

The DVBA also promotes the involvement and participation of children and young people in developing and maintaining child-safe environments. The Association involves children when making decisions, especially about matters that directly affect them. Children's views are heard and what they have to say is respected.

The DVBA promotes diversity and tolerance within the Association and people from all walks of life and cultural backgrounds are welcome. The DVBA:

- promotes the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children;
- promotes the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds;
- ensures that children with a disability are safe and can participate equally.

### iii) Identify and Analyse Risk of Harm

The DVBA will develop and implement a risk management strategy, which includes a review of existing child protection practices. The strategy will aim to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer, official, parent/carer, player or another person.

### iv) Ensure that Adults and Children Adhere to the Codes of Conduct

The DVBA will ensure that all adults are aware of and adhere to the *Basketball Victoria Codes of Conduct* that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The DVBA will also ensure that children (players) are aware of the *Code of Conduct* that addresses appropriate behaviour between children. The DVBA's Junior Domestic Member Clubs will also be asked to ensure that their individual memberships acknowledge the *Basketball Victoria Codes of Conduct*.

See: <https://basketballvictoria.com.au/resources/> for the *Basketball Victoria Codes of Conduct for Administrators, Coaches, Parents and Players* (one document)

### v) Training, Professional Development and Supervision

Training, education and professional development are important to ensure that everyone working and volunteering for the DVBA understands that child safety is everyone's responsibility.

The organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

The DVBA also supports its staff and volunteers, through ongoing supervision and education, to develop their skills to protect children from abuse; to promote the cultural safety of Aboriginal and Torres Strait Islander children; to promote the cultural safety of children from linguistically and/or diverse backgrounds and to ensure the safety of children with a disability.

New employees and volunteers will have supervision, training and professional development to ensure that they understand the DVBA's commitment to child safety. All staff and volunteers must understand that everyone has a role to play in protecting children from abuse, as well as checking that their own behaviour towards children is safe and appropriate (please refer to *Basketball Victoria's Code of Conduct* to understand appropriate behaviour further).

The DVBA's Child Safety Officer is the individual to whom reports of suspected child abuse should be made by DVBA staff and volunteers. Reporting channels that will be utilised by the Child Safety Officer may include the Department of Human Services: Child FIRST Offices and Victoria Police, depending on the severity and urgency of the matter. The DVBA's Child Safety Officer will also advise Basketball Victoria of any reports related to child protection.

### vi) DVBA's Child Safety Officer

It is not the responsibility of anyone working for the DVBA in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the child. This applies **BOTH** to allegations/suspicions of abuse occurring within the DVBA's activities and to allegations/suspicions that abuse is taking place elsewhere.

The DVBA will ensure that a Child Safety Officer is appointed to oversee matters pertaining to child safety and abuse. The Child Safety Officer will be nominated member of the Board of the DVBA.

The DVBA expects its members and staff or volunteers to discuss any concerns that they may have about the welfare of a child IMMEDIATELY with the nominated Child Safety Officer. The Child Safety Officer will ensure that the concerns/incident reported to them remain confidential and that the identity of the person reporting the concern/incident is not revealed.

The Child Safety Officer is required to report all the incidents noted by them to the appropriate authority at Basketball Victoria (BV). BV will assess the report and determine the appropriate steps, in relation to any disciplinary action required. BV will also factor in any reports made to Human Services, Victoria Police or other agencies.

## **vii) Screening and Recruitment**

The DVBA ensures that all reasonable steps are taken in order to engage the most suitable and appropriate people to work with children. This is achieved using a range of screening measures. Such measures help to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The DVBA develops selection criteria and advertisements which clearly demonstrate its commitment to child safety and an awareness of social and legislative responsibilities. The DVBA understands that when recruiting staff and volunteers, an organisation has ethical as well as legislative obligations.

The DVBA actively encourages applications from Aboriginal and Torres Strait Islander peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the [Working with Children Check](http://www.workingwithchildren.vic.gov.au) website <www.workingwithchildren.vic.gov.au> for further information.

Please see *Appendix 1 Screening Processes*

## **viii) Interview, Induction and Training for Personnel**

### **Interview and Induction**

All employees and volunteers will be required to undertake an interview carried out according to acceptable protocols and recommendations. Volunteer Board Directors will be elected via the process outlined in the *Constitution of the Diamond Valley Basketball Association Inc.*

All employees and volunteers will receive a formal or informal induction during which:

- A check will be made that all required documentation has been completed in full, including sections on criminal records and self-disclosures.
- A check will be made that all relevant policies have been read and acknowledged, including *Codes of Conduct* and *Member Protection Declaration*; that the online *Child Protection Training* module has been completed.
- A check will be made that a copy of a valid Working with Children Check (or equivalent) has been received.
- Qualifications will be substantiated.
- The role requirements and responsibilities will be clarified.
- Child Protection Procedures will be explained and further professional development needs will be identified.

### **Training and Professional Development**

In addition to pre-selection checks, the safeguarding process includes training and professional development after recruitment to help staff and volunteers to:

- Analyse their own practice against what is deemed good practice, and to ensure their conduct is likely to protect them from false allegations.
- Recognise their responsibilities and report any concerns about suspected poor practice and/or abuse.
- Respond to concerns expressed by a child.
- Work safely and effectively with children.

## **iv) Fair and Just Procedures for Personnel**

The safety and wellbeing of children is the DVBA's primary concern. The Association is also a fair and just employer/governing body and respects the rights of all personnel. The decisions made when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

The DVBA records all allegations of abuse and safety concerns, including investigation updates. All records are securely stored and managed by the Child Safety Officer, a nominated member of the Board of the DVBA.

If an allegation of abuse or a safety concern is raised, the DVBA will follow the process of reporting to Basketball Victoria and adhere to any reporting obligations deemed necessary by other authorities such as Victoria Police or the Department of Human Services: Child FIRST. The DVBA will liaise with Basketball Victoria to provide updates, to children and families, regarding reports and ongoing investigations.

## x) Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff members, volunteers, officials, parents/carers or children, unless there is a risk to someone's safety.

The DVBA has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded and stored, what will be done with it and who will have access to it.

## xi) Legislative Responsibilities

The DVBA takes its legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.<sup>1</sup>
- **Failure to protect:** People of authority in the DVBA will be committing an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.<sup>2</sup>
- Any personnel who are **mandatory reporters** must comply with their duties.<sup>3</sup>

## xii) Risk Management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, the DVBA proactively manages risks of abuse to the children participating in the Association's competitions and activities via its risk management strategies.

## xiii) Allegations, Concerns and Complaints

The DVBA takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Staff and volunteers are trained to deal appropriately with allegations.

The DVBA works to ensure that all children, families, staff and volunteers know what to do and who to tell if they observe abuse, or are victims, or if they notice inappropriate behaviour.

All adults have a responsibility to report an allegation of abuse if they have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a **reasonable belief** that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:

- a child states that they or someone they know has been abused (noting that sometimes the child may, in fact, be referring to themselves even if not explicating saying so);
- behaviour consistent with that of an abuse victim is observed<sup>4</sup>;
- someone else has raised a suspicion of abuse but is unwilling to report it;
- observing suspicious behaviour.

See *Appendix 3 Procedures for responding to suspicions and allegations*

## 5. EVALUATION

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<sup>1</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer-communities/protecting-children-and-families/failure-to-disclose-offence) <www.justice.vic.gov.au/home/safer-communities/protecting-children-and-families/failure-to-disclose-offence>.

<sup>2</sup> Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer-communities/protecting-children-and-families/failure-to-protect-offence) <www.justice.vic.gov.au/home/safer-communities/protecting-children-and-families/failure-to-protect-offence>.

<sup>3</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

<sup>4</sup> For example of behaviour, please see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): <www.dhs.vic.gov.au/\_data/assets/word\_doc/0005/955598/Child-safe-standards\_overview.doc>

The DVBA will ensure that key stakeholders contribute to the review of this policy.

## 6. APPENDICES

APPENDIX 1: PROMOTING GOOD PRACTICE

APPENDIX 2: SCREENING REQUIREMENTS

APPENDIX 3: PROCEDURES FOR RESPONDING TO SUSPICIONS AND ALLEGATIONS

## 7. AUTHORISATION AND REVIEW

This DVBA Child Safe Environment Policy was approved by the Board of the DVBA on **06 September 2022**

This policy will be reviewed every two years; or when relevant legislation changes; or if a significant incident occurs.

### APPENDIX 1: PROMOTING GOOD PRACTICE

This information identifies what is meant by good practice and poor practice.

#### Good Practice

All DVBA staff and volunteers should adhere to the following principles and actions:

- When working with children, always work in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets).
- Make the experience of basketball fun and enjoyable: promote fairness; confront and deal with bullying.
- Treat all children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds and children with a disability equally and with respect and dignity.
- Always put the welfare of the child first, before the game and winning.
- Maintain a safe and appropriate distance with players (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them).
- Avoid unnecessary physical contact with children. Where any form of manual/physical support is required it should be provided openly and with the consent of the child. Physical contact can be appropriate as long as it is neither intrusive nor disturbing and the child's consent has been given.
- Involve parents/carers wherever possible (e.g. where children need to be supervised in changing rooms, encourage parents/carers to take responsibility for their own child. If groups have to be supervised in changing rooms, always ensure parents/carers, coaches, etc. work in pairs).
- Request written parental consent if officials are required to transport children in their cars.
- Gain written parental consent for any significant travel arrangements, such as overnight stays.
- Ensure that if mixed teams are taken away, they are always accompanied by a male and female member of staff.
- Ensure that at away events adults do not enter a child's room or invite children to their rooms.
- Be an excellent role model; this includes not smoking or drinking alcohol in the company of children.
- Always give enthusiastic and constructive feedback rather than negative criticism.
- Recognise the developmental needs and capacity of the children and do not risk sacrificing welfare in a desire for Association/Club or personal achievements. This means avoiding excessive training or competition and not pushing children against their will.
- Secure written parental consent for the Association to act in loco parentis, to give permission for the administration of emergency first aid or other medical treatment if the need arises.
- Keep a written record of any injury that occurs, along with details of any treatment given.

#### Poor Practice

The following are regarded as poor practices and should be avoided by all DVBA staff and volunteers:

- Unnecessarily spending excessive amounts of time alone with children away from others.
- Taking children alone in a car on journeys, however short.
- Taking children to your home where they will be alone with you.
- Sharing a room with a child (unless their parent/carer).
- Engaging in rough, physical or sexually provocative games, including horseplay.
- Allowing or engaging in inappropriate touching of any form.
- Engaging with children on social media platforms.
- Taking unauthorised photographs of children (see *Appendix 3 Procedures for responding to suspicions and allegations* on precautions to be taken while photographing/filming children).
- Allowing children to use inappropriate language unchallenged.
- Making sexually suggestive comments to a child, even in fun.
- Reducing a child to tears as a form of control.

- Allowing allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Doing things of a personal nature that the children can do for themselves.

When a case arises where it is impractical/impossible to avoid certain situation, such as transporting a child in your car, the tasks should only be carried out with the full understanding and consent of the parent/carer and the child involved.

If: you accidentally hurt a child in your care; the child seems distressed in any manner; the child appears to be sexually aroused by your actions and/or if the child misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a written note of it. Parents/carers should also be informed of the incident.

## APPENDIX 2: SCREENING REQUIREMENTS

As required by the *Basketball Victoria Member Protection By-Laws*, this attachment sets out the screening process for people in the DVBA who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

The DVBA will:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed *Basketball Victoria Member Protection Declaration (MPD)* from all people who are identified in item 1. and store in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that they don't satisfactorily meet any of the clauses in the MPD. The DVBA will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied the DVBA will not appoint the person to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ensure that the person being interviewed/screened has a valid Working with Children Check (WWC) issued by the Victorian government and that they list the DVBA as an organisation at which they work or volunteer.  
The DVBA recognises two (2) exceptions to the Working with Children Check – police officers and teachers. These personnel will not be required to hold a Victorian WWC for the positions identified in item 1. Teachers and Police Officers should provide their registration/identification number along with other photo identification.

## APPENDIX 3: PROCEDURES FOR RESPONDING TO SUSPICIONS AND ALLEGATIONS

It is not the responsibility of anyone working for the DVBA in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the child. This applies **BOTH** to allegations/suspicions of abuse occurring within the Association's activities and to allegations/suspicions that abuse is taking place elsewhere.

This appendix explains how to respond to allegations/suspicions.

**NOTE:** Please also read the Victoria State Government's Department of Education and Training website <<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>> for further information on child protection reporting obligations. This website will provide you with information on the concerned authorities to be contacted when child abuse has taken place and the procedures to be followed for making a report of child abuse to the concerned authorities.

### Receiving Evidence of Possible Abuse

Individuals may become aware of possible abuse in various ways. It may be seen happening; it may be suspected of happening due to signs or behaviours displayed, such as those listed above; it may be reported by someone else; it may be reported directly by the child affected.

In the last of these cases, it is particularly important to respond appropriately. If a child says or indicates that he/she is being abused, you should:

- **Stay calm** so as not to frighten the child.
- **Reassure** the child that they are not to blame and that they were right to tell.
- **Listen** to the child, showing that you are taking them seriously.
- **Keep questions to a minimum** so that there is a clear and accurate understanding of what has been said. The law is very strict and child abuse cases have been dismissed where it is felt that the child has been led or words and ideas have been suggested during questioning. Only ask questions to clarify.
- **Inform** the child, in a sensitive manner, that you will need to inform those in authority about what they have told you. **Safety of the child** is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern and ensure they are made aware that this is a child protection issue.
- **Record** all information.
- **Report** the incident to DVBA's Child Safety Officer as soon as possible.

### Recording Information

To ensure that information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern.

In recording the details, the individual who has received the report should confine themselves to the facts and distinguish between what is their personal knowledge and what has been reported by others. The recording of the details should not include opinions.

Information should include the following:

- the child's name, age and date of birth;
- the child's home address and telephone number;
- whether or not the person making the report is expressing their concern or someone else's;
- the nature of the allegation, including dates, times and any other relevant information;
- a description of any visible bruising or injury, location, size etc. Also, any indirect signs, such as behavioural changes;
- details of witnesses to the incident;
- the child's account, if it can be given, of what has happened and how any bruising/injuries occurred;
- have the parents/carers been contacted? If so, what has been said?;
- has anyone else been consulted? If so, record details;
- has anyone been alleged to be the abuser? Record details.

## Reporting a Concern

All suspicions and allegations MUST be reported appropriately. It is recognised that strong emotions can be aroused, particularly in cases where sexual abuse is suspected or where there is misplaced loyalty to a colleague. It is important to understand these feelings but not allow them to interfere with clear judgement about any action to take.

The DVBA expects its staff, volunteers and members to discuss any concerns they may have about the welfare of a child IMMEDIATELY with the person in charge and subsequently to check that appropriate action has been taken.

If the Association's Child Safety Officer is not available, individuals should take responsibility and seek advice from their local Department of Human Services: Child FIRST Office or Victoria Police. Local police and Child FIRST phone numbers can be found via an internet search.

Where there is a complaint against a staff member or volunteer, there may be three types of investigation:

- **Criminal** in which case the police are immediately involved.
- **Child Protection** in which case the Department of Human Services: Child FIRST Office and, possibly, the police will be involved.
- **Disciplinary or Misconduct** in which case Basketball Victoria will be involved.

As mentioned previously in this document, the DVBA's employees and volunteers are not child protection experts and it is not their responsibility to determine whether or not abuse has taken place. All suspicions and allegations must be shared with professional agencies that are responsible for child protection.

Department of Human Services: Child FIRST has a legal responsibility under *The Children Act 1989* to investigate all child protection referrals by talking to the child and family (where appropriate); gathering information from other people who know the child and making inquiries jointly with the police.

**NB: If there is any doubt, individuals must report the incident: it may be just one of a series of other incidences which together cause concern.**

Any suspicion that a child has been abused by an employee or a volunteer should be reported to the DVBA Child Safety Officer who will take appropriate steps to ensure the safety of the child in question and any other child who may be at risk. This will include the following:

- referring the matter to Department of Human Services: Child FIRST Office;
- Contacting the parent/carer of the child as soon as possible following advice from Child FIRST;
- Notifying the President of the DVBA in order that they will deal with any media inquiries and implement any immediate disciplinary proceedings.

NB: if the Child Safety Officer is the subject of the suspicion/allegation, the report will be made to an appropriate manager or Board Member who will refer the matter to Department of Human Services: Child FIRST.

Allegations of abuse are sometimes made some time after the event. Where such an allegation is made to an individual, they should follow the same procedures and have the matter reported to the Department of Human Services: Child FIRST. This is because other children in the sport, or outside it, may be at risk from the alleged abuser. Anyone who has a previous conviction for offences related to abuse against children is automatically excluded from working with children.

## Concerns Outside the Immediate Sporting Environment (e.g. parent or carer)

- Report your concerns to the Child Safety Officer.
- If the Child Safety Officer is not available, the person being told or discovering the abuse should contact their local Department of Human Services: Child FIRST Office or the police immediately.
- Department of Human Services: Child FIRST and the Child Safety Officer will decide how to inform the parents/carers.



- The Child Safety Officer should also report the incident to Basketball Victoria (BV). BV will assess the report and determine the appropriate steps, in relation to any disciplinary action required. BV will also factor in any reports made to Human Services, Victoria Police or other agencies.
- Maintain confidentiality on a *need to know* basis.

### **Precautions to be Taken While Photographing Children**

When photographing or filming a child or using children's images for work-related purposes, one must:

- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child.
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this, one must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Understand that the onus is on the individual to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.