



Berwick Netball Club (BNC)
Child Safety and Wellbeing Policy
Version 1
May 2023

Child Safety and Wellbeing Policy

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Background

The Victorian Child Safe Standards were developed as a response to the *Victorian Parliament's Betrayal of Trust inquiry in 2013*. The Inquiry report highlighted inconsistent practices for keeping children safe within child facing organisations.

The *Royal Commission into Institutional Responses to Child Sexual Abuse* in 2019, triggered a review of the Victorian Child Safe Standards. Changes to the Victorian Child Safe Standards, announced by the Victorian Government in 2021, strengthen the Standards, with an increase from seven to eleven standards.

The current eleven Child Safe Standards started on 1 July 2022.

Organisations, including BNC, are required to comply with all aspects of the standards.

Each of the Standards is expressed as a statement of an expected outcome and are supported by detailed requirements and compliance indicators.

See the Commission for Children and Young People website for more information <https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/>

The 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

This policy and other supporting documents demonstrate how BNC is working to ensure that it is safe for children and young people.

Commitment

Berwick Netball Club (BNC) is committed to promoting and protecting children and young people from all forms of abuse, racism, neglect, and maltreatment.

It is the responsibility of every person, at every level of involvement in BNC to understand the important and specific role they play individually and collectively to ensure that the safety of all children and young people is at the forefront of all they do and every decision they make.

Our Commitment

BNC has ZERO TOLERANCE for child abuse and racism. Together we strive to empower children and young people through:

- ***listening to their ideas and concerns***
- ***valuing their contributions***
- ***enabling Aboriginal and Torres Strait Islander and children from Culturally and Linguistically diverse backgrounds to express their culture and enjoy their cultural rights.***

Purpose

The BNC Child Safety and Wellbeing Policy demonstrates our commitment to creating and maintaining a child safe organisation, where children and young people are safe and feel safe.

The Policy informs our community of everyone's obligations to act safely and appropriately with and towards children and young people and guides our processes and practices for the safety and wellbeing of children and young people across all areas of our activities and programs.

Scope

This policy:

- Applies to all BNC executive and general committee members, coaches, team managers, other volunteers, parents, umpires, contractors, despite whether they work in direct contact with children and young people
- Applies in all physical and online BNC environments used by children and young people.
- Should be read in conjunction with other BNC policies, procedures and codes including but not limited to the Child Safety Code of Conduct and the Working with Children Check Policy and Procedure.

Definitions

Item	Definition
Balance of probabilities	The occurrence of an event is more likely than not.
Committee	The BNC Committee is a panel of people who are elected to represent BNC. The committee is responsible for the overall governance, management, operation and strategic direction of BNC and for delivering accountable performance.
Member	Parents, players, officials, volunteers and others who join BNC in accordance with the BNC By-laws
Child or young person	A child or young person who is under the age of 18 years. Reference: <i>Child Wellbeing and Safety Act 2005</i>
Child Abuse	Child abuse includes: Any act committed against a child involving: <ol style="list-style-type: none"> 1. a sexual offence 2. grooming offences Under section 49M(1) of the Crimes Act 1958 b) the infliction, on a child, of: <ol style="list-style-type: none"> 1. physical violence 2. serious emotional or psychological harm c) the serious neglect of a child including exposure to family violence and its effects Reference: <i>Child Wellbeing and Safety Act 2005</i>
Child safety	Child safety includes matters related to protecting all children and young people from child abuse, managing the risk of child abuse, providing support to a child or young person at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse.
Child sexual exploitation	Child sexual exploitation is a form of sexual abuse where offenders use their power, (physical, financial or emotional) over a child or young person, or a false identity, to sexually or emotionally abuse them. Child exploitation often involves situations and relationships where children and young people receive something (for example: food, accommodation, drugs, alcohol, cigarettes, affection, gifts or money) in return for participating in sexual activities. Child sexual exploitation can occur in person or online, and sometimes the child or young person may not even realise they are a victim.

Item	Definition
Contractor	A person or organisation that undertakes a contract to provide materials or labour to perform a service or do a job. For example this could include anyone providing fitness or skills clinics, maintenance or services at the club or its facilities.
Failure to Disclose	<p>An offence that applies to all adults (not just professionals or volunteers who work with children) who form a reasonable belief that another adult may have committed a sexual offence against a child or young person under 16 years of age and fail to report this information to the Victoria Police.</p> <p>Failing to disclose a sexual offence based on concerns for the interests of the perpetrator or organisation (e.g., concerns about reputation, legal liability or financial status) are not regarded as a reasonable excuse.</p>
Failure to Protect	An offence that applies to a person in a position of authority within an organisation who: knows of a substantial risk that a child under the age of 16, under the care, supervision or authority of the organisation will become a victim of a sexual offence committed by an adult associated with the organisation (e.g. employee, contractors, volunteer, visitor); and negligently fails to remove or reduce the risk of harm.
Family Violence	<p>The Family Violence Protection Act 2008 (Vic) defines family violence as:</p> <ol style="list-style-type: none"> 1. Behaviour by a person towards a family member of that person if that behaviour: <ol style="list-style-type: none"> b) is physically or sexually abusive; or 2. is emotionally or psychologically abusive; or 3. Is economically abusive; or 4. Is threatening; or 5. is coercive; or 6. In any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; or 7. Behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to above. <p>Reference: Family Violence Protection Act 2008</p>
Grooming	Grooming is when a person engages in predatory conduct to prepare a child or young person for

Item	Definition
	sexual activity at a later time. Grooming can include communicating or attempting to befriend or establish a relationship or other emotional connection with the child or their parent or carer.
Information sharing	Information sharing refers to the collection, use and disclosure of personal information either within an organisation or between organisations. Information sharing can occur in many ways including: one organisation disclosing information (the disclosing organisation) to another (the receiving organisation), multiple organisations combining information in a database and making it available to each other the reciprocal exchange of information between organisations.
Mandatory reporting	Mandatory reporting is the legal requirement for certain professional groups to report a reasonable belief of child physical or sexual abuse to child protection authorities. In Victoria, under the Children, Youth and Families Act 2005, mandatory reporters must make a report to child protection, if: in the course of practising their profession or carrying out duties of their office, position or employment they form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. <i>Reference – Department of Families, Fairness and Housing (DFFH)</i>
Natural justice	Natural Justice requires the right to be heard, the right to be treated without bias, and a decision being based on relevant evidence. The right to be heard. A person must be given a reasonable opportunity to present information before a decision is reached that might adversely affect them.
Neglect	Neglect includes a failure to provide a child or young person with an adequate standard of nutrition, medical care, clothing, shelter or supervision. The law differentiates between three different levels of neglect: <ul style="list-style-type: none"> ○ ‘Minor’ neglect is low-level neglect that is trivial or temporary. ○ ‘Significant’ neglect is medium-level neglect that causes harm to a child that is more than trivial or temporary. ○ Serious neglect is the highest level of neglect. It involves the continued failure to provide a child with the necessities of life and can also occur if an adult fails to adequately ensure

Item	Definition
	the safety of a child exposed to extremely dangerous or life-threatening situations.
Reasonable belief	When you have witnessed behaviour, have a suspicion, or received a disclosure of child abuse, you will need to determine whether you have formed a 'reasonable belief' or a 'belief on reasonable grounds' that a child has or is being abused or is at risk of being abused. A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.
Reportable conduct	Reportable Conduct is defined as: a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child behaviour causing significant emotional or psychological harm to a child, significant neglect of a child, or misconduct involving any of the above. ❖ <i>Child Wellbeing and Safety Act 2005 (Vic.)</i>
Staff member	A staff member is a person who carries out work in any capacity for BNC including the following: <ul style="list-style-type: none"> • a volunteer including committee member (general, executive), coach, team manager, other official role (e.g. Child Safe Officer, function coordinator) • a contractor or subcontractor <p>BNC does not employ any staff.</p>
Volunteer	Time and work given willingly for the common good of the organisation is unpaid Any gifts received or given in recognition of volunteering documented in BNC Monthly Committee meetings and gift register.

Roles and Responsibilities

BNC Committee of Management

Members of the BNC Committee are responsible for ensuring that a strong child safe culture is created and maintained, and that policies and practices are effectively developed and implemented.

BNC Committee of Management will:

- Ensure effective child safety and wellbeing governance, policies, procedures, codes and practices are in place and followed
- Model a child safe culture that facilitates the active participation of children, young people, families, volunteers and contractors in promoting and improving child safety, cultural safety and wellbeing
- Promote regular open discussion on child safety issues within the community including at committee meetings, and community meetings
- Facilitate regular training for staff and volunteers (where appropriate) to build deeper understandings of child safety, cultural safety, student wellbeing and prevention of responding to abuse
- Create an environment where child safety complaints and concerns are readily raised, and no one is discouraged from reporting an allegation of child abuse to relevant authorities.

Committee and volunteers will:

- Participate in child safety and wellbeing induction and training provided by BNC, and always follow BNC child safety and wellbeing policies and procedures
- Act in accordance with the BNC Child Safety Code of Conduct
- At all times have a valid Working with Children Check
- Identify and raise concerns about child safety issues in accordance with our Child Safety Reporting and Complaint procedure
- Ensure children's views are taken seriously and their voices are heard about decisions that affect their lives
- Provide an environment that is supportive of all children's emotional and physical safety.

BNC Child Safety Officer(s)

BNC has appointed a Child Safety Officer(s) to support BNC to implement child safety policies and practices.

The child safety officer(s) will:

- Drive implementation of the Child Safe Standards across the club
- Be a point of contact for child safety concerns / complaints for the committee, volunteers, children, young people, families, and the broader BNC community.
- Provide guidance on child safety policies and procedures.
- Facilitate child safety training for committee and volunteers.
- Record child safety complaints and concerns and analyse trends in partnership with the Committee.
- Coordinate reviews following safety incidents and recommend improvements.
- Coordinate child safety policy and practice reviews in consultation with the community.
- Maintain detailed, accurate, secure written records of concerns, complaints and referrals.
- Conduct child safety audits of BNC.
- Promote child safety within the club and its members.

Child Safety Code of Conduct

The BNC Child Safety Code of Conduct sets the boundaries and expectations for appropriate behaviours between adults and children. The Code also clarifies behaviours that are not acceptable in our physical and online environments.

We ensure that children and young people also know what is acceptable and what is not acceptable so that they can be clear and confident about what to expect from adults in the BNC community. The Child Safety Code of Conduct can be accessed on the BNC website.

Managing risks to child safety and wellbeing

BNC will ensure that child safety is a part of the overall risk management approach. Risks are managed through our child safety and wellbeing policies, procedures, and practices, and through annual and ongoing risk assessment / audits conducted by the BNC Child Safety Officer(s) and through the continuous improvement processes.

Child and Family Empowerment and Engagement

To support child safety and wellbeing in BNC, we work to create an inclusive and supportive environment that encourages children and families to contribute to our child safety approach and understand their rights and their responsibilities.

- With accessible child safety information
- Promotion of child safety on social media
- Availability of child safety material on the BNC website
- Provision of wellbeing initiatives for the club

Human Resources

BNC applies robust child safe recruitment, induction, training, and supervision practices to ensure that all members of the committee, volunteers and contractors are suitable to work with children and young people. Please see Working with Children Check Policy and Procedure on the BNC website for more information.

BNC volunteer recruitment

All volunteers recruited to work within the club will be required to complete the BNC Volunteer Application.

BNC Committee (Executive and general members), Coaches, Team Manager, other volunteers, contractor or other role – staff induction

All newly appointed volunteers will be expected to participate in BNC child safety and wellbeing induction. Induction comprises of:

- reviewing the Child Safety and Wellbeing Policy (this document)
- the Child Safety Code of Conduct
- participating in child safety training.

Ongoing supervision and management of staff

BNC Committee, Coaches, Team Manager, volunteer, contractor and other roles will be supported to ensure that their behaviour towards children and young people is safe and appropriate. BNC Committee, Coach, Team Manager, volunteer, contractors or other roles will be monitored and assessed to ensure their continuing suitability for child related volunteering. This will be done by ensuring all BNC volunteers maintain Working with Children Checks and general monitoring of their actions within their BNC role.

Inappropriate behaviour towards children and young people will be managed swiftly and in accordance with our policies and our legal obligations. Child safety and wellbeing will be paramount.

Child safety knowledge, skills and awareness

Ongoing training and education are essential to ensuring that volunteers understand their roles and responsibilities and develop their capacity to effectively address child safety and wellbeing matters.

In addition to the child safety and wellbeing induction, BNC volunteers will participate in a range of training and professional learning to equip them with the skills and knowledge necessary to maintain a child and young people safe environment.

All volunteers and **BNC Child Safety Officers** will complete the following course and will provide certification of completion:

- Play by the Rules: Child Protection and Safeguarding Course

Complaints Process

BNC fosters a culture that encourages volunteers, children, parents, and the community to raise concerns and complaints. A robust feedback culture makes it more difficult for breaches of the code of conduct, misconduct or abuse to occur and remain hidden.

The process for dispute resolution is documented in the BNC By-laws Section 19. Complaints are usually managed by a BNC executive committee, however, issues of child safety will be referred to the BNC Child Safe Officers.

Privacy and information sharing

BNC collects, uses, and discloses information about children and their families in accordance with Victorian privacy laws, and other relevant laws.

Review of child safety practices

At BNC, we have established processes for the review and ongoing improvement of our child safe policies, procedures, and practices.

We will:

- Review and improve our child safety policy and procedures every three years or after any Significant child safety incident.
- Analyse any complaints, concerns, and safety incidents to improve policy and practice.
- Act with transparency and share pertinent learnings and review outcomes with staff.

The Child Safety Continuous Improvement Plan will be reviewed and prioritised by the BNC committee, at least quarterly.

Responding, Reporting, and Investigating

If there is an incident, disclosure, allegation or suspicion of child abuse, the BNC Child Safe Officer will follow the process for responding and reporting issues of child safety.

Immediate Risk – Response

Overriding any practical requirements outlined through this procedure, if a child or young person is at imminent risk of harm or in immediate danger, the situation must be directly reported to the Police – CALL '000' (within Australia).

What is to be reported?

If a person has formed a [reasonable belief](#) that a child or young person has suffered or is likely to suffer significant harm as a result of:

- [Child abuse](#) (sexual, emotional and/or physical)
- [Neglect](#)
- [Grooming](#)

How to respond to a child or young person

How you react to a child or young person disclosing to you is very important.

DO	DO NOT
Actively listen to the child or young person	Speak over or shut down the child or young person
Ask open ended questions	Ask leading questions
Reassure the child or young person that they have done the correct thing by telling someone	Make your own judgement or assessment or conduct your own investigation
Respect that the child or young person may only reveal some details	Press for details, a minimal account will suffice
Let the child or young person use their own words in their own time	Share information with others (excluding police, or child protection)
Explain that you will need to tell specific people to help them	Make promises you cannot keep

Report to Authorities

Ultimately, the person who forms the [reasonable belief](#) is responsible for notifying authorities.

- Support and guidance in reporting can be sought from the BNC Child Safety Officer(s). They may be able to support in the process of reporting if required.
- Child Safety Officers should be notified of a report being made by a committee member (executive or general), coach, Team Manager, contractor or other volunteer.

Contacting Child Protection (Authority)

To report child abuse, contact the divisional Child Protection intake service where the child resides, as soon as possible. If you are making a report, please use the main Intake Unit number. For all other enquiries, please contact the appropriate local office.

Southern suburban LGAs	Bayside, Cardinia, Casey, Frankston, Glen Eira, Greater Dandenong, Kingston, Mornington Peninsula, Port Phillip, Stonnington	1300 655 795
After Hours Child Protection	Victoria wide	13 12 78

How to make a report

Call the appropriate Intake phone number. The Child Protection Intake worker will ask you for certain information, including:

- **Details** – the child’s or young person’s name, age and address
- **Indicators of harm** – the reason for believing that the incident, injury or behaviour is the result of abuse or neglect
- **Reason for reporting** – the reason why the call is being made now
- **Safety assessment** – assessment of immediate danger to the child or children. For example, information may be sought on the whereabouts of the alleged abuser or abusers
- **Description** – description of the injury or behaviour observed
- **Child’s whereabouts** – the current whereabouts of the child or young person
- **Other services** – your knowledge of other services involved with the family
- **Family information** – any other information about the family
- **Cultural characteristics** – any specific cultural or other details that will help to care for the child, for example, cultural origins, interpreter or disability needs.

A report should still be made, even if you don’t have all the information listed above. The reporter’s identity is protected unless they provide written consent for it to be disclosed or it is required by order of the Court.

The reporter and the Child Safety Officer should maintain written records (in secure location) for future reference. This includes completion of the BNC Child Safety Reporting Form, accessible on the BNC website.

Reporting Timeframes

Reports and notifications must be made as soon as practicable and no later than before the end of the day or session of volunteering.

Confidentiality and Privacy

Confidentiality and privacy of all concerned (including the alleged perpetrator) should be maintained, except if doing so would compromise the safety and / or welfare of the child or young person and/or investigation of the allegation.

What to Report	
Child abuse (sexual, emotional and/or physical)	
Neglect	
Grooming	
How to Report	
Step 1-	If a child or young person is in any imminent risk of harm or in immediate danger – CALL '000'
Step 2-	Inform BNC Child Safety Officer and seek support if required
Step 3-	Report to DFFH Child Protection

After the Report

A detailed written report of supplied information from reporter must be recorded and stored by the reporter and the BNC Child Safety Officer (who, what, when, where and why the incident is of concern).

The alleged perpetrator (if a member of the BNC volunteer team or committee) will be stood down from volunteering duties until further notice, while an investigation is conducted.

Mandatory Reporters

The following professional groups are required to make a report to child protection where they form a [reasonable belief](#), that a child has been or is at risk of significant harm, as a result of physical or sexual abuse, and the child's parents have not protected or are unlikely to protect the child from that abuse:

- Registered medical practitioners
- Nurses including midwives
- Victoria police officers
- Registers teachers and school principals
- Out of home care workers (excluding voluntary foster and kinship carers)
- Early childhood workers
- Youth justice workers
- Registered psychologists
- School counsellors
- People in religious ministry.

A mandated reporter, is legally obliged to:

- Make a report to Child Protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse
- Make the report as soon as practicable after forming the belief
- Make a report each time they become aware of any further grounds for the belief

Keep in mind:

- You don't have to prove that the abuse has occurred
- A belief is a belief on reasonable grounds if a reasonable person in your position would have formed the belief on those grounds
- Grounds for a belief are matters of which you have become aware, and opinions based on those matters
- If you have formed the belief, you are obliged to make the report even if someone in a position of authority over you directs you not to make a report
- You are responsible for reporting your belief – it is not the responsibility of BNC executive or general committee, Child Safe Officer or other BNC volunteer or anyone else – however, if you honestly and reasonably believe all of the grounds for your belief have already been reported to Child Protection by someone else, this is a valid reason for you not to make the same report
- Mandatory reporting requirements take precedence over professional or other codes of practice where confidentiality or client privilege would otherwise apply
- A report made in good faith does not constitute unprofessional conduct or a breach of professional ethics, nor does it subject the person to any liability, or contravene the confidentiality provisions in the legislation governing health and mental health services.

Investigating

If the appropriate child protection service or the police decide to conduct an investigation of the report, all employees, contractors or volunteers must cooperate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, BNC Child Safety Officer will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the BNC Child Safe Officer may decide to conduct such an investigation. All BNC volunteers and contractors must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of [natural justice](#).

BNC representatives (e.g. Child Safe Officer/s) will make every effort to keep any such investigation confidential; however, from time-to-time other members of BNC may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse or misconduct warrants additional investigation, the BNC Child Safe Officer will coordinate the investigation with the appropriate investigators and / or law enforcement officials.

Internal or external legal representatives will be involved in the process, as deemed appropriate.

Responding

If it is alleged that a volunteer member of BNC or a contractor may have committed an offence or have breached the BNC Child Safe policies or the Code of Conduct, the person concerned may be stood down from volunteer duties while an investigation is conducted.

If the investigation concludes that, on [the balance of probabilities](#) an offence (or a breach of the policies or Code of Conduct) has occurred, then disciplinary action may follow, up to and including dismissal or cessation of involvement with BNC. The findings of the investigation will also be reported to any external body as required.

References and Resources

This policy was developed in reference to

- Outer East Football Netball Club
- Commission for Children and Young People
- VicSport resources.

The following are available on the BNC website

- Working with Children Check Policy and Procedures
- Incident Report Form
- Child Safe Code of Conduct