

Blind Sports & Recreation Victoria

CHILD SAFE POLICY

Policy Name	Child Safe Policy
Date of Issue	27 July 2022
Policy coverage	BSRV Executive Committee, staff, members, participants, coaches, spectators, officials, contractors, consultants and volunteers throughout all BSRV programs, events and activities where children and young people are involved. Parents/carers of BSRV child participants.
Date of review	23 July 2025
Controlling body	Blind Sports & Recreation Victoria

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PURPOSE:

1. INTRODUCTION

- 1.1 Blind Sports & Recreation Victoria (BSRV) is committed to ensuring that children and young people who participate in its activities have a safe and happy experience. BSRV supports and respects children, young people, staff, volunteers, participants, and parents and carers of children/young people.
- 1.2 The aim of BSRV's Child Safe Policy is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints will be treated seriously and fully investigated and handled with maximum confidentiality and discretion.
- 1.3 Should a person wish to make any enquiries in relation to this Policy, please contact: Maurice Gleeson OAM, Blind Sports & Recreation Victoria, Telephone: 03 9822 8876.

2. POLICY STATEMENT

- 2.1 BSRV is committed to providing the highest level of membership service. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health, safety and well-being of members, particularly children, and delivering BSRV's activities - while acting in the best interests of children in the sport.
- 2.2 Specifically, BSRV considers that the health, safety and well-being of children take priority over all other competing considerations. BSRV considers this necessary to ensure the health, safety and welfare of all members and to protect the image and reputation of the sport, BSRV and its affiliate members.
- 2.3 BSRV has a zero tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation. BSRV pays particular attention to the needs of children and young people with disability (vision loss).
- 2.4 Child protection is a shared responsibility between BSRV, our staff, contractors, members, parents/carers, coaches, spectators, volunteers, associates and members of the BSRV community. Everyone that participates in BSRV's activities is responsible for the care and protection of children; and for reporting information about child abuse.

2.5 BSRV supports the active participation of all children. We listen to their views, respect their views and involve them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

2.6 BSRV is also committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

2.7 BSRV promotes fairness and consideration for all staff, volunteers and participants. For further details please refer to the BSRV Member Protection Policy.

2.8 This policy recognises Victoria's new Child Safe Standards 2022:

- 2.8.1 To involve families and communities in organisations' efforts to keep children and young people safe
- 2.8.2 For a greater focus on safety for Aboriginal children and young people
- 2.8.3 To manage the risk of child abuse in online environments
- 2.8.4 In relation to governance, systems and processes to keep children and young people safe.

3. SCOPE

3.1 This Policy applies to participants, parents/carers, spectators, contractors, officials, coaches and staff throughout all BSRV events and activities.

3.2 This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with BSRV.

3.3 BSRV is supported by a network of affiliated clubs. It is a requirement that our affiliated clubs adhere to this Policy, which is based on the Commission for Children and Young People's new Child Safe Standards, which came into effect on 1 July 2022.

4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS

4.1 This Policy must be read in conjunction with:

4.1.1 the law of the Commonwealth and Victoria including but not limited to:

4.1.1.1 Children, Youth and Families Act 2005 (Vic)

4.1.1.2 Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)

4.1.1.3. Crimes Act 1958 (Vic); and

4.1.1.4 Working with Children Act 2005 (Vic)

4.1.2 BSRV policies and procedures, including but not limited to:

4.1.2.1 BSRV Privacy Policy;

4.1.2.2 BSRV Constitution;

4.1.2.3 BSRV Codes of behaviour;

4.1.2.4 BSRV Member Protection Policy;

4.1.2.5 BSRV Grievance and Discipline procedures.

5.1 DEFINITIONS

5.1 **Child** means a person involved in the programs or activities of BSRV (including participants) and under the age of 18 years, unless otherwise stated under the law applicable to the child.

5.2 **Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.

5.3 **Sexual offence** means a criminal offence involving sexual activity or actions of indecency, or any act which exposes a child to, or involves a child in, sexual activity or matters beyond his or her understanding or contrary to accepted community standards. Sexually offence behaviours include child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or the child's carer, family or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence.

5.4 **Mandatory reporter** means a person who is legally required to make a report to the Department of Human Services or the Police if they form a belief on reasonable grounds that a child is in need of protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.

RESPONSIBILITIES

6. RECOGNISING AND REPORTING CHILD ABUSE

6.1 A person may, while participating in the sport or other activities of BSRV; or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.

6.2 If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.

6.3 **Child abuse** can be divided into four categories:

6.3.1 **Physical abuse:** occurs when a child has suffered, or is likely to suffer, significant harm as a result of a physical injury, such as a non-accidental physical injury.

6.3.2 **Sexual abuse:** occurs when a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.

6.3.3 **Emotional and psychological abuse:** occurs when a child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is or is likely to be significantly damaged; and

6.3.4. **Neglect:** occurs when a child's physical development or health has been, or is likely to be significantly damaged. It refers to an omission, such as depriving a child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

6.4 Child abuse includes any actions that results in actual or potential harm to a child, in circumstances where the child's parents/carers have not protected, or are unlikely to protect, the child.

6.5 **Mandatory Reporters**

6.5.1 Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

- 6.5.2 This report must be made as soon as practicable, and after each occasion where he or she becomes aware of further reasonable grounds for the belief.

6.6 Reasonable grounds for belief

- 6.6.1 A reasonable belief is formed if a reasonable person believes that:
- 6.6.1.1 the child is in need of protection;
 - 6.6.1.2 the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
 - 6.6.1.3 the child's parent/carer are unable or unwilling to protect the child.
- 6.6.2 To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.
- 6.6.3 A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.
- 6.6.4 You will have reasonable grounds to notify if:
- 6.6.4.1 a child states that they have been physically or sexually abused;
 - 6.6.4.2 a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
 - 6.6.4.3 someone who knows a child states that the child has been physically or sexually abused;
 - 6.6.4.4 professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or
 - 6.6.4.5 signs of abuse lead to a belief that the child has been physically or sexually abused.

6.7 Voluntary Reporters

- 6.7.1 In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, *may* disclose that information to the Police or DHHS.

6.8 Reporting Child Sexual Abuse

- 6.8.1 If a person receives information that leads them to form 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), the person has a legal obligation to disclose that information to the Police as soon as it is practicable.
- 6.8.2 Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of 3 years imprisonment.

6.9 BSRV Approach to Reports of Abuse

- 6.9.1 BSRV supports and encourages a person to make a report to the Police or DHHS if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or well-being of a child.
- 6.9.2 Any person who makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by BSRV, and will not be penalised by BSRV for making the report.
- 6.9.3 If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the BSRV President for guidance and information. If in doubt, ask for assistance.
- 6.9.4 If an allegation is made against a member of staff or volunteer, BSRV will follow the reporting procedure outlined in this document; and take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation, working from home, or any other measures deemed appropriate, depending on the seriousness of the allegation.
- 6.9.5 BSRV will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.
- 6.9.6 BSRV will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.

6.9.7 BSRV will keep a register of any allegations regarding inappropriate conduct.

7. ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN

7.1 Personnel involved in protecting children include the board, management, staff, volunteers and contractors within the Organisation. Those people have responsibilities in relation to protection of children and are expected to:

- 7.1.1. understand the rights of children, as appropriate to their role;
- 7.1.2. respect the cultural and religious practices of families who access BSRV's programs, activities or events, including those of Aboriginal children and young people;
- 7.1.3. understand and appropriately respond to the needs of children with disabilities or developmental delays;
- 7.1.4. appropriately act on any concerns raised by children;
- 7.1.5. understand the definitions, indicators and impact of child abuse;
- 7.1.6. know and follow regulations in relation to the care of children;
- 7.1.7. co-operate with police and/or other formal investigations to the best of their ability; and
- 7.1.8. not harm or exploit children who access BSRV's programs or activities.

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

7.2.1. Supervision

Children participating in programs and activities offered by BSRV must be supervised at all times by staff and/or contractors. One-to-one situations with children should be avoided. For reasons of courtesy and safety, parents/carers must collect their children on time. If it appears a member will be left alone with just one child at the end of any club activity, they will ask another member to stay until the child is collected.

BSRV staff and contractors must ensure that supervision is constant, active and diligent and requires the supervisor to be in a position to observe each child, respond to individual needs, and immediately intervene if necessary.

Any incident of one-to-one unauthorised contact must be immediately reported to the supervisor and BSRV President, within 24 hours of the incident occurring.

7.2.2. Change Rooms

Adult staff, contractors and site users must ensure that children are supervised in change rooms, whilst ensuring their right to privacy. A minimum of two adults of the same gender as the group should be present at all times. Adults must avoid one-to-one situations with a child in a change room area, regardless of gender and should only enter change rooms if accompanied by another adult. Prior to entering change rooms, adults should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child. Phones, cameras and recording devices are not used in changing rooms and while children are getting dressed.

7.2.3. Travel and transporting children

BSRV staff and contractors may only transport children in circumstances that are directly related to the delivery of BSRV programs and services. Other than in an emergency, staff and contractors must not transport children without prior written approval from their parent or guardian. Staff and contractors retain an overriding responsibility for the welfare of all participants they accompany during programs. They have a duty of care for participants and they must meet that duty and avoid unaccompanied and unobserved activities wherever possible.

7.2.4. Drop off and pick up of children

BSRV programs and activities involving children must have specific procedures for the drop off and pick up of children. The following principles must be applied by staff and contractors:

- parents/carers to be advised of the time and location of the program/activity, including start and finish times
- parents/carers to be advised to arrive before the scheduled finish time to ensure that children are not left unattended
- there is an accessible register of parent and guardian emergency contact numbers and an operational phone
- any alternative pick-up arrangements for children to have the consent of the parent or guardian

- ensure that if a parent or guardian is late, there are reasonable attempts to contact them. It is not the responsibility of staff or contractors to transport children home if the parent/guardian is late.
- do not leave the venue until all children have been collected by parents/carers.

7.2.5. **Photographing and filming of children**

No recording (photography, video or audio) may take place at BSRV programs, except that which is permitted by BSRV.

Employees, contractors and site users may only photograph or film a child if:

- The child's parent or guardian has provided written approval for the photographs/video to be captured
- The context directly relates to BSRV
- The child is appropriately dressed and posed
- The image or footage is taken in the presence of other personnel.

Staff and contractors must not distribute images or footage (including as an email attachment) to anyone outside BSRV, other than the child photographed or their parent, without BSRV management knowledge and approval.

Employees and contractors must store images and footage (digital or hard copy) in a manner that prevents unauthorised access by others; and will delete/destroy the images and footage as soon as they are no longer required.

Employees or contractors must not exhibit any images or footage online or in publications without parental knowledge and approval.

7.2.6. **Use of language and tone of voice**

Staff, contractors, and site users should ensure their language and tone of voice used in the presence of children provides clear direction, boosts their confidence and encourages or affirms them. Language and tone of voice should not be harmful to children. Language should be avoided that is discriminatory, racist or sexist; derogatory, belittling or negative; intended to frighten or threaten or profane or sexual.

7.2.7 **Positive guidance**

BSRV will make children accessing our programs and events aware of the acceptable limits of their behaviour, to provide a positive experience for all participants. Staff and contractors should:

- Use appropriate techniques and behaviour management strategies to ensure an effective and positive environment and the safety and well-being of children and other participants
- Use strategies that are fair, respectful and appropriate to the developmental stage of children involved
- Provide children with clear directions and give an opportunity to redirect any misbehaviour in a positive manner
- Staff and contractors must not take disciplinary action against children involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

7.2.8 Physical contact with children

Employees, coaches and contractors must ensure that any physical contact with children is appropriate to the delivery of BSRV programs and based on the needs of the child, such as assisting with the use of equipment, technique, or administering first aid. It is strongly recommended that coaches ensure:

- there are other adults present whenever coaching
- Coaches take care to explain the procedure to the child prior to beginning any physical contact
- Coaches obtain consent from the participant prior to beginning any physical contact.

Staff and contractors must not have contact with children that:

- 7.2.8.1 Involves touching of buttocks, breast area or genitals, other than as part of delivering medical assistance
- 7.2.8.2 Would appear to a reasonable observer to have a sexual connotation
- 7.2.8.3 Is intended to cause pain or distress to the child
- 7.2.8.4 Is overly physical (eg wrestling, tickling)
- 7.2.8.5 Is unnecessary (eg assisting with toileting when a child does not require assistance)
- 7.2.8.6 Is initiated against the wishes of the child, except if such contact may be necessary to prevent injury to the child.

7.2.9 Sexual relationships while participating in programs

During all BSRV programs, all staff and contractors must not, under any circumstances engage in conduct of a sexual nature with a participant. Improper conduct of a sexual nature towards a participant includes any form of child sexual abuse as well as but not limited to the following:

- 7.2.9.1 inappropriate conversations of a sexual nature
- 7.2.9.2 obscene language of a sexual nature
- 7.2.9.3 suggestive remarks or actions
- 7.2.9.4 jokes of a sexual nature

- 7.2.9.5 obscene gestures
- 7.2.9.6 unwarranted and inappropriate touching
- 7.2.9.7 sexual exhibitionism
- 7.2.9.8 use of any device to show/watch offensive material
- 7.2.9.9 any other action that could lead to a participant being physically, emotionally or psychologically harmed.

7.2.10 **Digital communication**

For any electronic or online communication with children, staff and contractors must copy in a supervisor and a parent/guardian/carer in all communication.

When communicating with children, staff and contractors must ensure content is:

- Directly associated with delivering our services, such as advising that a scheduled event is cancelled
- Concise, with personal or social content limited only to convey the message in a polite and friendly manner
- Devoid of any sexual behaviour
- Not promoting unauthorised social activity or contact.

7.3 **Use of, possession or supply of alcohol or drugs**

Staff, contractors and site users, while responsible for the care of children, must not:

- use, possess or be under the influence of an illegal drug
- be under the influence of alcohol
- be incapacitated by any other legal drug (eg prescription or over the counter drugs)
- supply alcohol or drugs (including tobacco) to children
- supply medicines or deliver medication, except with the consent of the parent/guardian/carer and under a valid prescription for that child at the prescribed dosage.

7.4 **Adults under investigation**

Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to jeopardise their Working with Children Check status may be prohibited, by the BSRV Executive Committee, from participating in BSRV activities.

8 **ENGAGING NEW PERSONNEL**

8.1 The minimum standard for background checks of employees and volunteers of BSRV and its members is the law as it applies in Victoria.

8.2 BSRV undertakes a comprehensive recruitment and screening process for all staff and volunteers which aims to:

- 8.2.1 promote and protect the safety of all children who participate in the activities of BSRV;
- 8.2.2 identify and recruit the safest and most suitable candidates who share BSRV's values and commitment to protect children; and
- 8.2.3 prevent a person from working at BSRV if they pose an unacceptable risk to children.

8.3 BSRV requires staff and volunteers to pass the recruitment and screening process prior to commencing their engagement with BSRV.

8.4 As part of the screening and recruitment process, an applicant must provide appropriate evidence (Working with Children Check and police check) to show that they are suitable to work with children and young people in a recreational setting.

- 8.4.1 all BSRV staff and Board members require a Working with Children Check; and
- 8.4.2 the following key program/activity personnel must have a valid Working with Children Check:
 - 8.4.2.1 those paid by BSRV for their program
 - 8.4.2.2 volunteers
 - 8.4.2.3 relevant contractors who may have unsupervised access to children; and
 - 8.4.2.4 anyone else who BSRV staff feel requires a Working with Children Check, due to the nature of the work that they are undertaking for BSRV.

8.5 The type of evidence that an applicant is required to provide to BSRV will vary depending on the type of position that they are applying for. However, an applicant will not be offered a position until they provide the required evidence to BSRV.

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

8.7 BSRV will undertake thorough reference checks prior to engaging any personnel.

- 8.8 Once engaged, BSRV will provide staff and volunteers with access to this policy; and staff and volunteers must review and acknowledge their understanding of this policy.
- 8.9 In line with the Commission for Children and Young People's child safe standards, BSRV's affiliated clubs must ensure all staff and volunteers (including coaches and any officials) likely to have contact with participants and other children have a current Working with Children check, which needs to be signed off annually.
- 8.10 BSRV's affiliated club personnel, including Committee Members, Volunteers, Coaches and officials and anyone else who has contact with children, must possess a valid Working with Children Check. Any costs associated with gaining a valid check will be dealt with in a manner determined by that club.

9. RISK MANAGEMENT APPROACH

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

10. POLICY BREACHES

- 10.1 It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have done anything contrary to this policy. Any person who may breach this policy is subject to the processes outlined in the BSRV Member Protection Policy.

11. POLICY PROMOTION

- 11.1 This policy will be made available to all members via the BSRV website.
- 11.2 This policy will be communicated to all staff, Board, and Committee members via email and at meetings.
- 11.3 References to this policy will be included in documentation provided to all coaches, contractors and program deliverers that represent BSRV.

12. REVIEW PROCESS

- 12.1 This policy will be reviewed by the BSRV Board on an annual basis.
- 12.2 If you would like to provide BSRV with any feedback or suggestions to improve this policy, please contact BSRV President, Maurice Gleeson OAM, on Tel: 03 9822 8876 or info@blindsports.org.au.

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