



# Child Safe Policy

## Purpose

As a focal point in leadership of the national sports system, the ASC plays an important role in modelling desired practices and behaviours within the sport environment.

This policy provides a framework aimed at creating an appropriate environment for the delivery of ASC programs that maximises child safety, through appropriate background screening, awareness and management practices for both employees and 'external providers' who may be engaged to provide services for, or on behalf of, the ASC.

## Principles

- Children have a fundamental right to be safe from any form of abuse or neglect which applies to their involvement in sport or activities of the ASC. Protecting children involves legal as well as universal moral obligations.
- Child protection is the responsibility of all ASC employees and external providers, particularly if the function of their job includes, or is likely to include, providing services directed towards children or the conduct of activities involving children.
- The ASC is committed to the provision of appropriate training and support to assist employees in providing and maintaining a safe environment for children.

## Policy Statement

- All employees and external providers whose position involves or is likely to involve *working with children*, are required to obtain and maintain appropriate WWC clearance(s).
  - In legislated jurisdictions including, ACT, Qld, WA, Vic, NT and NSW recognised screening authorities determine an applicant's suitability for WWC. These clearances must be maintained and renewed as required under the relevant jurisdictional legislation.
  - In jurisdictions not covered by specific WWC legislation or where no expiry period exists, employees are required to undergo a national criminal records history check through a recognised reporting authority. This check assists the ASC to determine an individual's suitability for WWC, with renewal required every two years.
- Employees and external providers engaged to *work with children* are not permitted to have unsupervised involvement with children under any circumstances, until the clearance has been obtained and a copy provided to the ASC Human Resources (HR) section. Managers must provide alternative duties, or duties must be conducted in the presence of an authorised supervisor until a clearance is obtained.
- Employees recruited from overseas must provide evidence of an overseas penal clearance as part of their Australian work visa application. Where possible, a copy of this clearance is to be provided to HR.

- The cost of clearing ASC employees shall be borne by the ASC. However unless otherwise agreed in writing by the ASC, external providers shall cover the cost of obtaining clearance.
- All ASC employees are expected to commit to providing protection to children and this requires:
  - awareness of the legislative and policy requirements for dealing with children;
  - a commitment to practices that minimise the risks to children;
- Where child abuse is alleged or suspected:
  - the matter must be reported to an ASC Manager, the General Manager and Human Resources;
  - immediate steps must be taken to remove the real or potential threat to the child/children;
  - investigation proceedings will be initiated with appropriate confidentiality being maintained;
  - the matter may be reported to the police or relevant State or Territory authority.
- In addition ASC employees are bound by the [ASC Code of Conduct](#) which states employees will:
  - act with care and diligence and perform work duties in a manner that is conducive to the health and safety of both yourself and others;
  - not engage in any forms of bullying or harassment, or physical, verbal or emotional abuse of others;
  - not engage in physical contact with athletes or children except where absolutely necessary for the development, maintenance or recovery of an athlete's or child's skill, health or athletic ability;
  - not make improper use of status, power or authority;
  - comply with applicable laws of Australia or other relevant jurisdictions.

## Definitions

**Authorised supervisor** - A person nominated by the ASC (who may be an employee or engaged as an external provider), who holds all mandatory clearances required for their position.

**Child** – Any person under the age of 18

**Child Abuse and Child Neglect** –commonly involves the misuse of power or authority, or a breach of trust that results in physical, psychological or sexual abuse or neglect.

Examples of behaviours that could constitute abuse or neglect include inappropriate touching when demonstrating techniques, inappropriate training methods requiring children to take on extra physical loads as 'punishment', physical aggression when disciplining a child, through to sexual assault and sexual intercourse with a minor.

**Child Protection** – involves keeping children safe from abuse and neglect including protecting them from people who are deemed unsuitable to work with children.

**Contact** – Refers to any form of physical contact, oral communication (whether face to face, by telephone or otherwise) and any form of electronic communication

**External Provider** – Broad term used to describe a person or persons engaged to provide services to the ASC who may or may not be paid by the ASC. External providers may be engaged under contractual arrangements between the ASC, their employer and where applicable other parties. 'External providers' covers a broad range of roles; from PhD scholars, research scientists, coaches and other sports professionals who provide coaching and sport services to the ASC; to the cleaning, catering and maintenance contractors who service the athlete residences.

**Overseas penal clearance** – Criminal history check from a country other than Australia that is required by the Department of Immigration and Citizenship when assessing the character of applicants for an Australian work visa.

**Recognised reporting authority** – The ASC recognises several screening authorities across Australia. These include the Australian Federal Police (AFP); Office of Regulatory Services (ACT); CrimTrac; Commission for Children and Young People (NSW and Qld); Department of Child Protection (WA); Department of Justice (Vic)

**Unsupervised involvement** – Refers to close, personal contact with children without the presence of an authorised supervisor.

**Validation of clearance** – Where clearance has been provided by an authority for a period longer than two years and the screening authority maintains a ‘live’ database of criminal activity (ACT, NSW, Vic, WA & Qld), the cardholder’s clearance can be ‘validated’ with the screening authority to confirm that no activities have been lodged that would cause clearance to be withdrawn.

**Volunteer** - A person engaged to provide services without being an employee or a contractor and without remuneration.

**Working with children** - A role includes, or is likely to include:

- Providing services directed towards children, or;
- Conducting activities that involve contact with children

## Related References

- The ASC’s Child Safe Policy replaces two separate policies; ASC Child Protection policy and ASC Working with Children (WWC) policy.
- [ASC Code of Conduct](#)

Related Legislation	Principal Act
<b>Australian Capital Territory</b> (Office for Children, Youth and Family Support, Department of Disability, Housing and Community Services) < <a href="http://www.legislation.act.gov.au">www.legislation.act.gov.au</a> >	<i>Working with Vulnerable People (Background Checking) Act 2011 (ACT)</i>
<b>New South Wales</b> (Department of Community Services) < <a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a> >	<i>Child Protection (Working with Children) Act 2012 (NSW)</i>
<b>Northern Territory</b> (Children, Youth and Families, Department of Health and Families) < <a href="http://www.nt.gov.au/dcm/legislation/current.html">http://www.nt.gov.au/dcm/legislation/current.html</a> >	<i>Care and Protection of Children Act 2007 (NT)</i> (NOTE: Not all provisions are in force)
<b>Queensland</b> (Department of Communities) < <a href="http://www.legislation.qld.gov.au/OQPChome.htm">www.legislation.qld.gov.au/OQPChome.htm</a> >	<i>Child Protection Act 1999 (Qld)</i>
<b>South Australia</b> (Families SA; Department for Families and Communities) < <a href="http://www.legislation.sa.gov.au/index.aspx">www.legislation.sa.gov.au/index.aspx</a> >	<i>Children’s Protection Act 1993 (SA)</i>
<b>Tasmania</b> (Child Protection Services, Department of Health and Human Services) < <a href="http://www.thelaw.tas.gov.au/index.w3p">www.thelaw.tas.gov.au/index.w3p</a> >	<i>Children, Young Persons and their Families Act 1997 (Tas)</i>
<b>Victoria</b> (Children Protection and Juvenile Justice Branch; Department of Human Services) < <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a> >	<i>Children, Youth and Families Act 2005 (Vic)</i>
<b>Western Australia</b> (Department for Child Protection) < <a href="http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html">http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html</a> >	<i>Children and Community Services Act 2004 (WA)</i>

NOTE other state-specific legislation may be applicable to this policy including but not limited to family law, adoption and human rights legislation.

Version	Originating Program	Approved by	Date	Revision Date	TRIM reference
1.1	Human Resources	ASC Executive	18 Jan 2011	18 Oct 2013	2010/140258/D