

ROWING VICTORIA CHILD SAFE POLICY

Date created:	21 June 2022				
Audience:	<ul style="list-style-type: none"> • Rowing Victoria Inc, including employees of RV, and persons appointed or elected to RV's Board, committees, and sub-committees; • Support personnel; • Coaches; • Athletes; • Boat Race Officials including referees, umpires and other officials involved in the regulation of rowing; • Employees and volunteers; • Members, including life members of RV; • Athletes, coaches, officials, and other personnel participating in events and activities, including camps and training sessions, held, or sanctioned by RV; • Any other person or organisation that is a member of or affiliated to RV; and • Parents, guardians, spectators, and sponsors to the full extent that is possible, including where spectators, parents/guardians, and sponsors, who or which agree in writing to be bound by this policy. 				
Version:	2022:1				
Purpose of Document:	To ensure the Rowing Victoria community are aware of our responsibilities, and their own, in creating a child safe sport, and protecting children and young people from harm.				
Actions:	<ul style="list-style-type: none"> • Read and understand. • Encourage others to read and understand. 				
Review:	21 June 2023				
Rowing Victoria Contact:	Ian Jickell, ian@rowingvictoria.asn.au				
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Other relevant resources (see Rowing Victoria website):	<ul style="list-style-type: none"> • Child Safe Code of Conduct • Child Safe Guide for Parents and Guardians • Child Safe Guide for Teens • Child eSafety Guide • Incident Reporting Portal 				

ROWING VICTORIA CHILD SAFE POLICY

1. INTRODUCTION

- 1.1. Rowing Victoria is committed to ensuring that children and young people who participate in its activities have a safe and happy experience. Rowing Victoria supports and respects children, young people, staff, volunteers, and participants.
- 1.2. The aim of Rowing Victoria's Child Safe Policy (the 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 Ian Jickell, CEO of Rowing Victoria, at ian@rowingvictoria.asn.au.

2. POLICY STATEMENT

- 2.1. Rowing Victoria is committed to providing the highest level of safety for all involved with rowing. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health, safety, and wellbeing of members, particularly children and delivering our activities while acting in the best interests of children in the sport.
- 2.2. Specifically, Rowing Victoria considers that the health, safety, and well-being of children take priority over all other competing considerations. Rowing Victoria considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, Rowing Victoria, and its members.
- 2.3. Rowing Victoria 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 etc.
- 2.4. Rowing Victoria recognises gender identity and the appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.
- 2.5. Child protection is a shared responsibility between Rowing Victoria, its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers, and members of the Victorian rowing community. Everyone that participates in our activities is responsible for the care and protection of children, and reporting information about child abuse.
- 2.6. Rowing Victoria supports the active participation of all children. It listens to their views, respects their views, and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

2.7. Rowing Victoria 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.

2.8. Rowing Victoria promotes fairness and consideration for all staff, volunteers, and participants. For further details please refer to the [Rowing Australia Member Protection Policy](#).

3. SCOPE

3.1. This Policy applies to all Members of Rowing Victoria and all participants, parents, spectators, contractors, officials, coaches, judges, and staff throughout all Rowing Victoria 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 Rowing Victoria.

3.3. Rowing Victoria is supported by a wide network of affiliated clubs, schools, and associations across Victoria. Affiliation with Rowing Victoria is conditional on an affiliated club implementing and complying with this Policy. Failure to implement and comply with this Policy may cause Rowing Victoria to end its affiliation with a club that is in breach of its obligations.

4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS

4.1. This Policy must be read in conjunction with:

4.1.1. the laws of the Commonwealth and Victoria (as amended from time to time) 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. Rowing Victoria policies and procedures, including but not limited to:

4.1.2.1. Privacy Policy;

4.1.2.2. Constitution;

4.1.2.3. Codes of behaviour;

4.1.2.4. Child Safe Code of Conduct;

4.1.2.5. RA Member Protection Policy; and

4.1.2.6. Grievance and Discipline procedures.

5. DEFINITIONS

- 5.1. **Child** means a person involved in the activities of Rowing Victoria (including athletes) and under the age of 18 years unless otherwise stated under the law applicable to the child.
- 5.2. **Child Abuse** is the mistreatment of a Child or Young Person that has Harmed, is Harming or is likely to Harm or endanger that Child or Young Person's physical or emotional health, development or wellbeing and the Child has not, or is not likely to be protected by the parent(s) or guardian(s). For the avoidance of doubt, this includes but is not limited to Emotional or Psychological Abuse, Bullying, Grooming, Sexual Exploitation, Neglect and Harassment.
- 5.3. **Child protection** means any responsibility, measure or activity undertaken to safeguard children from Harm.
- 5.4. **Grooming** is a term used to describe what happens when a perpetrator of Abuse builds a relationship with a Child with a view to abusing them at some stage. There is no set pattern in relation to the Grooming of Children. For some perpetrators, there will be a lengthy period of time before the Abuse begins. The Child may be given special attention and what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a Child in and Abuse them relatively quickly. Some abusers do not groom Children but Abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports, and religious activities, or in internet chatrooms, in social media or by other technological channels.
- 5.5. **Harm** is any detrimental effect of a significant nature to the person or Child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:
- Physical, Psychological or Emotional Abuse or Neglect;
 - Sexual Abuse or Exploitation;
 - a single act, omission, or circumstance; and
 - a series or combination of acts, omissions, or circumstances.
- 5.6. **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 offensive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger, or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or their carer, family, or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence.
- 5.7. **Mandatory reporter** means a person who is legally required to make a report to the Department of Health and Human Services or the Police if they form a belief on reasonable grounds that a child is in need of protection. It includes (but is not limited to) teachers, principals, registered psychologists, nurses, doctors, and midwives.

6. RECOGNISING AND REPORTING CHILD ABUSE

- 6.1. A person may, in the course of participating in the sport or other activities of Rowing Victoria 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 Victoria Police on "000" as soon as practicable.
- 6.3. Specific types of **Child abuse** include:
- 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 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 – amongst others) 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 parents 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, DHHS or the Commissioner for Children & Young People (**CCYP**).

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. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of imprisonment.

6.9. Rowing Victoria's Approach to Reports of Abuse

- 6.9.1. Rowing Victoria supports and encourages a person to make a report to the Police, CCYP 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 wellbeing of a child.
- 6.9.2. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or voluntary) will be supported by Rowing Victoria and will not be penalised by Rowing Victoria 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 Rowing Victoria CEO 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, Rowing Victoria will follow the reporting procedure outlined on the Rowing Victoria website under [Incident Reporting](#) and take all steps to ensure that the safety of the child and other children 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. Rowing Victoria will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential and sensitive manner to the greatest extent possible.
- 6.9.6. Rowing Victoria will cooperate with the directions of the Police, CCYP and/or DHHS in relation to any investigation conducted by these authorities.
- 6.9.7. Rowing Victoria will keep a confidential 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, and volunteers 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 Rowing Victoria's services, programs, or events;
 - 7.1.3. understand and appropriately respond to the needs of children with developmental delays or disabilities;
 - 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. at all times, know and follow regulations in relation to the care of children and follow the Rowing Victoria Child Safe Code of Conduct;
 - 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 (Organisation)'s services.

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

8.1. Change Rooms

Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials 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.

8.2. Hotel rooms and other accommodation

No official should be alone in the room of a child without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of a child, the Team Manager or other responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

8.3. Travel - General

All team members over 18 years of age retain an overriding responsibility for the welfare of all children they accompany during team travel activities. They have a 'duty of care' for children, and they must meet that duty and avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

8.4. Sexual Relationships while on tour

8.4.1. During all team travel activities officials must not, under any circumstances engage in conduct of a sexual nature with a child. Improper conduct of a sexual nature by an official towards a child includes any form of child sexual abuse (defined within the RA Member Protection Policy) as well as but not limited to the following:

- 8.4.1.1. inappropriate conversations of a sexual nature;
- 8.4.1.2. obscene language of a sexual nature;
- 8.4.1.3. suggestive remarks or actions;
- 8.4.1.4. jokes of a sexual nature;
- 8.4.1.5. obscene gestures;
- 8.4.1.6. unwarranted and inappropriate touching;
- 8.4.1.7. sexual exhibitionism;
- 8.4.1.8. use of any device to show/watch offensive material; and
- 8.4.1.9. any other action that could lead to a child being physically, emotionally, or psychologically harmed.

8.5. 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 (WWCC) (or if based in another State the equivalent requirement) status may be prohibited, by the Rowing Victoria Board, from participating in Rowing Victoria activities.

8.6. Coach Assistance

- 8.6.1. All coaches must ensure that all physical contact with children which occurs when coaching is appropriate for the situation and necessary for the athlete's safety. It is strongly recommended that:
- 8.6.1.1. coaches ensure that there are other adults present whenever coaching;
 - 8.6.1.2. coaches take care to explain the procedure to the child prior to beginning any physical contact; and
 - 8.6.1.3. coaches obtain consent from the athlete prior to beginning any physical contact.

9. RECRUITMENT AND SCREENING

- 9.1. The minimum standard for background checks of employees, contractors, and volunteers of Rowing Victoria and its members is the law as it applies in Victoria.
- 9.2. Rowing Victoria undertakes a comprehensive recruitment and screening process for all staff, contractors, and volunteers which aims to:
- 9.2.1. promote and protect the safety of all children who participate in the activities of Rowing Victoria;
 - 9.2.2. identify and recruit the safest and most suitable candidates who share Rowing Victoria's values and commitment to protect children; and
 - 9.2.3. prevent a person from working at Rowing Victoria if they pose an unacceptable risk to children.
- 9.3. Rowing Victoria requires staff, contractors, and volunteers to pass the recruitment and screening process prior to commencing their engagement with Rowing Victoria.
- 9.4. As part of the screening and recruitment process, an applicant must provide a WWCC check to show that they are suitable to work with children and young people in a recreational setting. Rowing Victoria requires that:
- 9.4.1. all Rowing Victoria staff and Board members require a WWCC; and
 - 9.4.2. the following key event personnel must have a valid WWCC:
 - 9.4.2.1. those paid by Rowing Victoria for their services (excluding bump in and bump out);
 - 9.4.2.2. all volunteers in Rowing Victoria;
 - 9.4.2.3. relevant contractors who may have unsupervised access to children; and
 - 9.4.2.4. anyone else who Rowing Victoria staff feel requires a WWCC due to the nature of the work that they are undertaking for Rowing Victoria, as outlined in the RV WWCC Fact Card.

- 9.5. The type of evidence that an applicant is required to provide to Rowing Victoria 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 Rowing Victoria.
- 9.6. At its discretion, Rowing Victoria may require applicants to provide a Police Check (in accordance with the law and as appropriate) prior to their engagement and at regular intervals during their time with Rowing Victoria.
- 9.7. Rowing Victoria will undertake at least two thorough reference checks prior to engaging any personnel.
- 9.8. Once engaged, Rowing Victoria will provide staff and volunteers with access to this policy at which time staff and volunteers must review and acknowledge their understanding of this policy.
- 9.9. Rowing Victoria requires all of its affiliated clubs to ensure their staff and volunteers (including coaches and any officials) that are likely to have contact with children, have a current WWCC. Each affiliated club seeking annual re-affiliation will be required to offer formal reassurance as part of their eligibility for affiliation. Clubs which do not comply with their legal obligations will be found to have not complied with the Rowing Victoria affiliation requirements and will be disaffiliated.
- 9.10. Rowing Victoria requires all affiliated club personnel including committee members, volunteers, coaches and judges and anyone else who has contact with children, to possess a valid working with children check. Any costs associated with gaining a valid WWCC will be dealt with in a manner determined by that club.

10. SUPPORTING PERSONNEL

- 10.1. Rowing Victoria is committed to ensuring that all staff, Board members, volunteers and contractors receive training to ensure that they understand their responsibilities in relation to child safety. Mandatory training at Rowing Victoria includes training on:
 - 10.1.1. this Policy;
 - 10.1.2. identifying indicators of child abuse and harm;
 - 10.1.3. how to support a person making a disclosure about harm to a child;
 - 10.1.4. how to respond to issues of child safety including internal and external reporting requirements, notifying families and carers, and managing risks to children; and
 - 10.1.5. how to support cultural safety.
- 10.2. Rowing Victoria assists its Board members, staff, contractors, and volunteers to incorporate child safety considerations into decision-making and to promote a culturally safe environment where children are empowered to speak up about issues that affect them.

11. RISK MANAGEMENT APPROACH

- 11.1. Child safety is a part of Rowing Victoria's overall risk management approach.

12. POLICY BREACHES

- 12.1. 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 RA Member Protection Policy and/or additional disciplinary processes.

13. POLICY PROMOTION

- 13.1. This policy will be made available to all members via the [Rowing Victoria website](#) and communication to Rowing Victoria delegates.
- 13.2. This policy will be communicated to all staff, Board, and Committee members via email and meetings.
- 13.3. References to this policy will be included in documentation provided to all team officials that represent Rowing Victoria.

14. RECORD KEEPING

- 14.1. Rowing Victoria will retain records of reports of child abuse and complaints about child safety.
- 14.2. In maintaining records of reports about child safety, Rowing Victoria will maintain confidentiality and privacy for children and families in accordance with legislation.
- 14.3. Rowing Victoria will appropriately note identified risks to child safety through the record keeping process and will incorporate those into its risk management plan.

15. REVIEW PROCESS

- 15.1. This policy will be reviewed by the Rowing Victoria Board on an annual basis.
 - 15.2. If you would like to provide Rowing Victoria with any feedback or suggestions to improve this policy, please contact Rowing Victoria CEO, Ian Jickell, at ian@rowingvictoria.asn.au.
 - 15.3. 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 our website, email, and other appropriate communication channels.
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