



Section 4.3 - Community Facilities & Recreation

**POLICY 4.3.5 – CONDITION OF HIRE FOR CITY OF JOONDALUP FACILITIES – Child Protection**

**OBJECTIVE**

To provide a safe environment for young people to participate in sport, recreation and leisure pursuits throughout the City of Joondalup.

**POLICY STATEMENT**

**At the time of making a permanent booking for the use of a City of Joondalup facility, all sport and recreation clubs/associations and community groups with members under 18 years of age, will be required to provide the City with a copy of their organisation's Child Protection policy. If the organisation does not have a current policy in place, a permanent booking will not be confirmed. A permanent booking will only be made with community groups who have a Child Protection policy in place and who present a copy to the City of Joondalup's Facility Booking Officer.**

**DETAILS**

*The following information is not part of the policy, however it has been included on advice from the City of Joondalup's insurance brokers.*

The City of Joondalup recognises that as the owner and manager of facilities utilised by sport and recreation clubs/associations and community groups, it has a responsibility to promote safe environments for participation. This commitment to awareness and consistency in approaches towards Child Protection issues has been implemented through a Condition of Hire for all facilities. The City will support sport and recreation clubs/associations and community groups in undertaking their legal responsibility in relation to Child Protection.

**Roles and Responsibilities**

**Role of the City of Joondalup:**

- Promote safe environments for young people to participate in sport, recreation and leisure pursuits.
- Assist and support clubs, associations and community groups in the development of their Child Protection policy.
- Request that clubs, associations and community groups develop and undertake an annual review of their Child Protection policy



## CITY OF JOONDALUP POLICY MANUAL

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### **Role of Sport & Recreation Clubs/Associations and Community Groups:**

- Promote safe environments for young people to participate in sport, recreation and leisure pursuits.
- Develop a Child Protection policy to govern the activities of their organisation.
- Implement the Child Protection policy and ensure that club/association/group members and representatives comply with its objectives.
- Conduct an annual review of the Child Protection policy.

Each year all sport and recreation clubs/associations and community groups will be invited to attend a free Child Protection seminar conducted through the City's existing Club Development program. The seminars will be designed to make organisations aware of their responsibilities in relation to Child Protection, to raise current issues and assist with the annual review of their Child Protection policy.

### **OUTCOMES**

The 'Condition of Hire for City of Joondalup Facilities – Child Protection' policy, aims to:

- Promote a safe environment for young people to participate in community based sport, recreation and leisure activities;
- Raise awareness of the responsibilities of sport and recreation clubs/associations and community groups to implement a Child Protection policy.
- Provide assistance and support through on-going training and information for sport and recreation clubs/associations and community groups on issues relating to Child Protection through the annual Club Development program;
- Reduce in the number of reported incidents of child/youth maltreatment and/or abuse;
- Create an awareness of the appropriate actions that must be taken in cases of reported incidents of child/youth maltreatment/abuse;
- Maintain a high standard of facilities for community user groups.

### **POLICY REVIEW**

The City will conduct a review of the policy annually.

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Previously Policy No.  
Amendments  
Proposed Review Date

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## **Minutes from Consultation Session held at the Kingsley Memorial Clubrooms on Wednesday the 9<sup>th</sup> June 2004 at 7.00pm.**

**The following information was collected from the comments and discussions of those representatives who attended the consultation session.**

### **Question 1**

**What approach should the City Of Joondalup's take towards the issue of Child Protection ? (Should each user group have a Child Protection Policy ?)**

- Yes it is a good idea. "What policing of these policies is going to happen ?"
- Yes it's a good idea. Most groups are either discussing it or it is in place - usually at national level.
- Encourage each user group who use City of Joondalup facilities to have a child protection policy in place.
- Encourage groups to have a code of conduct that includes references to Child Protection.
- Yes, but groups should adopt the policy of their governing organisations in conjunction with the City of Joondalup's Child Protection Policy.
- State bodies should be the first place to get assistance, if no luck then go to the City of Joondalup.
- The City of Joondalup should request a Child Protection policy or Member Protection policy from all clubs/organisations.
- Council to include a tick box on booking forms (re. Code of Conduct / Child Protection policy). If they tick no, club/organisation should receive an information pack outlining Child Protection policy guidelines.
- Each user group should have a Child Protection policy. Greatly depends on the nature of the booking (ie. Group being Incorporated or not, self insured, certified with national bodies, fully run by volunteers or paid staff, supervisors ratios).
- Provide assistance for policy templates to be adapted to suit organisations (model policy).
- Give educational awareness on Child Protection to clubs and organisations.
- Teach clubs how to construct a policy – club needs/issues are different.
- Each user group should have a child protection policy for the following:
  - Ensure moral/criminal standing of group leaders (eg. Police checks).
  - Ensure safe premises for use of juveniles and adults alike.
  - Require at least one leader in charge of groups to hold senior first aid certificate.
  - Discourage/penalize against ugly parent syndrome.
  - Assess activities being conducted – ensure safety.
  - Have contact numbers of parents/guardians in case of emergency.
- Protection should not just relate to Child Protection – total risk management should be looked at.
- The City of Joondalup should have a child protection officer – someone who can be referred to.
- Each club to have a co-ordinator for their policy document who would be a reference point for concerns. This can be a disadvantage as some groups haven't got a lot of members to cater for this

### **Question 2**

**As an organisation, have you considered the issue of Child Protection?**

**If YES, what strategies have you employed ?**

- Coaches and some other individuals will require police clearances (rule set by governing body).
- Distributing Codes of Conduct printed in newsletter to all coaches and team managers.
- Policies on behaviour and safety.
- Code of conduct for group leaders and others - to be signed.
- Discourage ugly parent syndrome.
- Ensuring juveniles are dropped off / picked up at the door.
- Ensure all juveniles have been collected by parent/guardian.
- Be conscious of people loitering.
- Avoid one on one out of sight contact with juveniles (have a witness).
- Senior first aid certificates a preferred requirement for group leaders.
- Have all group leaders attend a Child Protection seminar.
- Making parents and managers aware of their responsibilities.
- Club has conducted risk management seminars/workshops.

- Clubs have/are producing own policy documents.
- Coach/member awareness booklets are given to all club members.
- Coaching briefing – regarding general care consideration.
- Have counsellors available.
- Have full, at least annual, health statement
- Have contact numbers of parents and venue locations.
- Adequate lighting at night – making it safer for children to participate.
- Adequate parking facilities adjacent to facility (eg. You don't have to walk over a dark oval to get to cars).
- Provide a safe environment for activities to be carried out in/on.
- Ensure privacy – by keeping personal information from members, only to be looked at by the nominated club co-coordinator

### **Question 3**

**Have your state governing bodies provided you with any direction with regards to Child Protection ?**

- T-Ball is already implementing a policy.
- Scout Association of Australia/WA Branch have policies / guidelines.
- Junior Soccer Association have policies / guidelines.
- Yes – organisations/clubs having to do compulsory police checks.
- Yes we have a 200 page risk management policy.
- Some have, some haven't been provided with any direction from state body.
- Some think we are in a transitional stage between state governing bodies.
- Training by governing bodies.
- Ratios of parents/leaders to children (i.e. 1 parent to 10 children, if you have 50 children, need minimum of 5 parents).
- Parents are made aware of actions and consequences.
- Playgroup - parents are there to look after their own kids (parents stay to help with activities).

### **Question 4**

**What do you think of the concept of making a Child Protection Policy an essential criteria for using City of Joondalup facilities ?**

- Good idea.
- We all feel its essential that the City of Joondalup is proactive in order to discharge their duty of care.
- It is a moral responsibility that the City of Joondalup be seen to make the city a safe zone and provide leadership in this area.
- Approve in principal but there are considerations that are different for individual organisations.
- Agree but must be flexible.
- The City of Joondalup should require that clubs meet a certain criteria.
- The City of Joondalup needs to adapt the policy for different organisational / club scenarios (size, supervisors, client ratio).
- That the City of Joondalup adopt a child protection policy to ensure safe use of amenities where children are involved
- Encourage and facilitate policies / Codes of Conduct.
- Develop a Child Protection policy pack that is forwarded to facility bookers who do not have a Child Protection policy, include a mechanism on booking form to identify an organisation with no policy.
- The City of Joondalup should run courses to guide clubs.
- Big groups will be okay as they have contacts, small groups though might struggle, as they may not have support contacts. Therefore the City of Joondalup needs to help smaller clubs a lot.
- Council needs to bridge the gap between themselves and large and small clubs.
- For some groups:
  - It can be very hard
  - Can be expensive
  - Criteria of council needs to be known so that some groups can act

- Parents will react in a negative way- possibly loss of groups and less prepared to help
- Can't discriminate against organisations – backing them into a corner if they don't have one.
- Have a transition period (have policy in place by 2006 or don't use facility at all).
- Prefer advisory rather than compulsory.
- Tie funding in with Child Protection – go to child protection seminars or no funding.

## **Minutes from Consultation Session held at the Connolly Community Centre on Monday the 14<sup>th</sup> June 2004 at 7.00pm.**

**The following information was collected from the comments and discussions of those representatives who attended the consultation session.**

### **Question 1**

**What approach should the City Of Joondalup's take towards the issue of Child Protection? i.e. should each user group have a Child Protection Policy ?**

- Yes, each user should have a policy.
- Yes, policies must be consistent.
- Yes, you should have a child protection policy.
- Each user group to provide the City of Joondalup with their policy.
- The City of Joondalup to follow up on policy implementation by being provided with a copy of the policy each year.
- No, the approach taken should depend on the user group.
- Any protection policy that some groups need would need to include older folk as well.
- The City of Joondalup should work with peak bodies on policies.
- The City of Joondalup should ensure that all policies meet state government standards.
- City of Joondalup as a regulatory body to oversee each separate clubs policy.
- The City of Joondalup to define the level of Child Protection policy.
- Simple and flexible template.
- Give an example of minimum standard policy needed (i.e. covers general community).
- The City of Joondalup to have a minimum standard for groups without state governing bodies.
- Distribute a copy of the guidelines.
- Define policy/guidelines (i.e. what groups are we looking at (u/18's?))
- Create a broad framework for child protection
- Define policy for associations to follow when using city facilities – simple policy guidelines.
- Clubs should look at draft policies – examples are on the Internet and government web sites.
- Being proactive and implementing some of the policies stated in the draft copy rather than waiting for state and local governments.
- Community groups to lead the way.
- Having safer environments - checking the ground.
- Safe grounds from needle stick / glass etc.
- Adequate lighting inside and outside the halls and facilities attached (toilets, ovals etc) also adequate for the seasons, summer and winter.
- Regularly check chairs, tables, windows and doors in the said facility.
- Regular criminal screening (police screening- federal).
- What about casual users – What extent do they have to go to in regards to Child Protection ?

### **Question 2**

**As an organisation, have you considered the issue of Child Protection ?**

**If yes what strategies have you employed ?**

- Child Protection policy and procedures are in place. This involves an application form with referees and a national volunteer police check.
- Having a child protection policy.
- Having steps and procedures implemented on how to deal with child protection.
- Codes of Conduct for officials, players and spectators.
- Codes of Conduct are in place for both parents and children and are actively practiced.
- Have thorough screening.
- Coaches interviews.
- Police clearances.
- Interviewing panel – using referees and keeping records on file.
- Training module (1/2 day training course) for a child protection policy is in place for all people with children under 18 years.

- Small part of Child Protection exists in coaches accreditation course, which is run by the governing body of football.
- Adult to child ratios (i.e. 1 adult to 10 children).
- Not allowed to be secluded with a child.
- Checking ID before allowing a child to leave with someone else other than their parent.
- Risk management procedures.
- Guides Australia has a strict criteria for all leaders of youth and adults (contact Lynn Fisher 93554586).
- Apart from sexual abuse, physical and verbal abuse is addressed and neglect.
- Centre cook attending “eat right/start right” courses to avoid maltreatment- daily intake a child need to have.
- Parents have a duty of care in our organisation
- We are most concerned about the safety of our children, but we don’t need a protection policy to achieve this, we are not an organisation. Our group would have more adults to children in our activities.
- What role does the City of Joondalup have in this area ?

### **Question 3**

**Have your state governing bodies provided you with any direction with regards to Child Protection ?**

- Junior football l- national and state direction – clubs to develop policies and police clearances in 2005.
- Guides Australia – full and clear.
- Bahai governing body has been given direction, from national body.
- Scouts – national and state direction.
- The governing body is currently working towards all coaches and officials being screened in 2005.
- Presbyterian Church of WA is in the process of developing child protection
- Soccer is directed to the Department of Sport and Recreation.
- Soccer – code of conduct for parents from state body, issued to each club at beginning of each season.
- Code of ethics.
- We are not an organisation and have no state body.
- Accreditation from child care centres.
- Health Department.
- Licensing Board.
- City of Joondalup security watch and patrol cars.
- Department of social welfare.

### **Question 4**

*What do you think of the concept of making a Child Protection Policy an essential criteria for using City of Joondalup facilities ?*

- Yes, it is a good thing.
- It should be essential that all organisation to have the policy and be on display for parents etc to sight.
- Have documents signed and dated before allowing the organisation to use facilities without a policy.
- Should be mandatory to provide all participants with information and direction to protect children and adults
- Guidelines for conditions of hire.
- Quite unnecessary for groups such as we are – some groups feel they don’t need it.

# Template

## CHILD PROTECTION POLICY

### POLICY STATEMENT :

The (*organisation*) ..... is committed to providing an environment that is safe for the participation of (*primary service*)..... activities. The (*organisation*) ..... will not tolerate the acts of child/youth maltreatment, which occurs when a child/youth has been subjected to sexual, emotional, physical or neglectful actions or inactions, which have resulted in significant harm or injury to the child/young person.

This Child Protection Policy conveys a message to all members and prospective members, responsible for (*primary service*) ..... activities, particularly those involving young people under the age of 18 years, about minimising maltreatment risks. Managers, coaches, officials and support staff have a responsibility to provide safeguards dedicated to the well being of those under 18 years of age (children/youth).

The abuse of children/youth members, by other members or external sources, is not acceptable and the (*organisation*) ..... encourages all incidents of such maltreatment be reported immediately to the appropriate authorities.

### CODE OF CONDUCT :

(*Organisation*) ..... endorses the following Code of Conduct for those people responsible for activities involving persons under the age of 18 years.

All members should meet the following requirements in regards to their conduct during (*primary service*) ..... activities.

A coach/trainer will:

- Agree to abide by the code of conduct.
- Be responsible for matters concerning coaching, training and development.
- Maintain a 'duty of care' towards others and an accountability for matters relating to training and competition.

'Duty of Care' requires everything 'reasonably practicable' to be done to protect the health and safety of all participants.

- Ensure that any physical contact with others is:
  1. Appropriate to the situation
  2. Necessary for the persons skill development
- Provide a safe environment for training and competition.
- Provide an environment that protects and respects the rights and emotions of individuals.

A manager will:

- Agree to abide by the code of conduct.
- Be responsible for the welfare and well being of team members and officials.
- Maintain a 'duty of care' towards team members and an accountability for the management of the team.

An official/administrator will:

- Agree to abide by the code of conduct.
- Be fair, considerate and honest with others.
- Operate within the rules of the (*organisation*).
- Be professional in their actions, language, presentation, manner and punctuality.
- Resolve conflicts fairly and promptly through established procedures.
- Maintain strict impartiality.
- Maintain a safe environment for others.
- Show concern and caution towards others.

## **PROTECTIVE MEASURES :**

Safeguards are necessary measures for those members who undertake the delivery of child/youth activities in their capacity as managers, coaches, trainers, officials, administrators etc. These are responsible positions in the organisation and as such, risk minimisation measures are being adopted to protect them from any misconceptions about their behaviour in performing their designated roles.

### **Risk Minimisation Strategies**

1. Do not engage, or allow others to engage, in any of the following:
  - Abusive initiation ceremonies.
  - Sleeping close quarters with children/youths without a second adult representative/parent.
  - Aggressive, physically distressing or sexually provocative activities.
  - Physically or sexually suggestive comments to or about a child/youth (to be defined)
  - Inappropriate or intrusive touching of a child/youth (to be defined).
  - Actions or comments either implied or stated that are disrespectful to individuals, or which may cause emotional harm (to be defined).
2. Maintain an open door policy when conducting meetings and invite all children/youths, parents, friends and other members to participate in Child Protection discussions.
3. Male and female adults to accompany children/youths when undertaking activities away from home and especially over night.
4. Prevent opportunities/incidents where an adult/person of authority is isolated with a child/youth in a confined area/location.

(NB. These strategies are meant as a guide and should be developed to cater specifically for the organisation).

Prevention is the best cure when analysing the issues associated with Child Protection. Predicting possible problem areas and implementing procedures to ensure situations do not arise is vital. This process can begin with the selection of appropriate organisational members.

### **Screening Applicants**

1. Use accredited coaches and officials
2. Interview process / check references
3. National Police Clearance and criminal record check (International Checks may be conducted if required).
4. Confidential declaration form



## RIGHTS AND RESPONSIBILITIES :

The rights and responsibilities of both children/youth and adult members should be stated within the policy. Some of these may include;

### Children/Youths

Have the right to :

Are responsible for :

<ul style="list-style-type: none"> <li>• be safe</li> </ul>	<ul style="list-style-type: none"> <li>• showing respect to both child/youth and adult members</li> </ul>
<ul style="list-style-type: none"> <li>• be listened to</li> </ul>	<ul style="list-style-type: none"> <li>• keeping themselves safe</li> </ul>
<ul style="list-style-type: none"> <li>• be respected</li> </ul>	<ul style="list-style-type: none"> <li>• accurately reporting inappropriate behaviour to adults, children/youth</li> </ul>
<ul style="list-style-type: none"> <li>• privacy</li> </ul>	
<ul style="list-style-type: none"> <li>• take risks in a protective environment</li> </ul>	
<ul style="list-style-type: none"> <li>• an inclusive environment</li> </ul>	
<ul style="list-style-type: none"> <li>• be referred to professional help if required</li> </ul>	
<ul style="list-style-type: none"> <li>• be protected from abuse by other members or outside sources.</li> </ul>	

### Members

Have the right to :

Are responsible for :

<ul style="list-style-type: none"> <li>• access ongoing training and information on all aspects of leading/managing activities for Children/ youth</li> </ul>	<ul style="list-style-type: none"> <li>• Fostering teamwork to ensure safety of child/youth members in their care</li> </ul>
<ul style="list-style-type: none"> <li>• support in the reporting of suspected abuse</li> </ul>	<ul style="list-style-type: none"> <li>• using appropriate team management behaviour</li> </ul>
<ul style="list-style-type: none"> <li>• access professional support services</li> </ul>	<ul style="list-style-type: none"> <li>• responding to child/youth statements and concerns about alleged abuse</li> </ul>
<ul style="list-style-type: none"> <li>• be protected from abuse by children/youths, other adult members and parents.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring the rights and responsibilities of child/youth members are enforced</li> </ul>
	<ul style="list-style-type: none"> <li>• Reporting suspected abuse to the appropriate authorities</li> </ul>
	<ul style="list-style-type: none"> <li>• Not abusing members physically, emotionally or sexually</li> </ul>
	<ul style="list-style-type: none"> <li>• Maintaining confidentiality about sensitive information as designed by the appropriate authority.</li> </ul>

### Organisation

Have the right to :

Are responsible for :

<ul style="list-style-type: none"> <li>• expect all members to comply with its Code of Conduct</li> </ul>	<ul style="list-style-type: none"> <li>• providing a safe environment for members</li> </ul>
<ul style="list-style-type: none"> <li>• expect all children/youth members to maintain reasonable standards of behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• providing ongoing training and information for members</li> </ul>
<ul style="list-style-type: none"> <li>• take appropriate action if members breach the Code of Conduct or the organisation's Policy</li> </ul>	<ul style="list-style-type: none"> <li>• wide promotion of policy and procedures</li> </ul>

<ul style="list-style-type: none"> <li>• expect all members to undertake appropriate training when advised to</li> </ul>	<ul style="list-style-type: none"> <li>• facilitating open discussion on member protection issues</li> </ul>
<ul style="list-style-type: none"> <li>• expect all members not to abuse members physically, emotionally or sexually</li> </ul>	<ul style="list-style-type: none"> <li>• provide support to members who report accusations of abuse</li> </ul>
<ul style="list-style-type: none"> <li>• take appropriate action in the event of accusations</li> </ul>	<ul style="list-style-type: none"> <li>• treating suspected abuse information confidentially</li> </ul>
<ul style="list-style-type: none"> <li>• request police checks relating to convictions in relevant areas.</li> </ul>	<ul style="list-style-type: none"> <li>• taking appropriate action if members breach standards of reasonable behaviour or policies and regulations.</li> </ul>

In addition, the policy should make allowances to provide support for the alleged perpetrator. In some cases, a simple misunderstanding can lead to accusations being made, resulting devastating effects on the accused person. For this reason, all people accused of an offence should be offered support from a placement officer.

### **PROCEDURES FOR ADDRESSING PROTECTION BREACHES :**

Sport, leisure and recreational clubs must ensure that within the policy, a clear process of how to manage child/youth maltreatment is developed. For this purpose, actions have been divided into separate situations.

1. Concerns that a child/youth is being harmed at home or outside the club environment.
2. Concerns that a club member is responsible for harming a child/youth within the club environment.

#### **Concerns that a child/youth is being harmed at home or outside the club environment.**

##### **1. Report to the person in Charge**

When a club member has concerns/evidence that a child/youth has been or is being maltreated, then they should advise the person in charge as soon as possible ensuring full confidentiality. Early consultation with the Department for Community Development (Joondalup Office Ph: 9301 3600) is encouraged.

##### **2. Record**

The club member should keep a written record of observations, suspicions and statements made by the child/youth. Records should include time, date, names of witnesses and actions taken.

##### **3. Consult with the Department for Community Development**

It is recommended that members do not confront the person alleged responsible or attempt to investigate their suspicions. The Department will perform this task and involve the Police Service as appropriate.

##### **4. Maintain Confidentiality**

This information should be treated as highly confidential. Discussions about the matter should not occur and documentation should be securely stored.

##### **5. Report / Notify**

At present Western Australia does not require mandatory reporting of suspected abuse. This means you are not legally required to report all cases of abuse. However, if you have concerns you are strongly encouraged to report child/youth maltreatment

to the Department for Community Development, keeping details of the date, time and name of the duty officer. If a report is made in good faith, the person reporting is not liable for prosecution for making the report. The Department will then determine what response would be in the best interest of the child and family concerned, based on the evidence and any past reports.

## **6. Don't Investigate**

Club members should not get involved in investigating their suspicions. After reporting details to the Department for Community Development, the best course of action is determined. Under the Child Welfare Act 1947, the Department has authority to conduct investigations, interviews and even remove the child/youth from the club environment.

The Department has a policy not to reveal the identity of persons notifying suspected cases of child/youth maltreatment. In some cases however, it is not possible to prevent offenders from guessing the source of the notification.

**Concerns that a club member is responsible for harming a child/youth within the club environment.**

### **1. Report to the person in charge**

When a club member has concerns that a child/youth from the club has been or is being maltreated by another club member, then they should advise a senior club member (so long as the senior club member is not the alleged offender) as soon as possible.

### **2. Record**

The club member raising concerns should keep a written record of their observations, suspicions and statements made about the matter. Records should include details of time, date, names of witnesses, observations and actions taken.

### **3. Consult with the Department for Community Development**

It is recommended that members do not confront the person alleged responsible or attempt to investigate their suspicions. The Department will perform this task and involve the Police Service as appropriate.

### **4. Maintain Confidentiality**

A common thread through all stages of managing a child/youth maltreatment allegation is confidentiality. Information regarding the identities of the children/youth allegedly abused and the alleged perpetrator, as well as the particulars of the allegations need to be treated in the utmost confidence.

### **5. Report / Notify**

The most senior club member will report child/youth maltreatment to the Department for Community Development. It is recommended that the Department undertake all further tasks as they have qualified staff for these situations. These tasks would include;

- Advising parents of the child/youth involved.
- Advising staff (to enable them to answer questions and fulfill their duties).

## **6. Don't Investigate**

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