



CHILD PROTECTION POLICY

Reference: Sport NZ, Safe Sport for Children, Bike NZ

Policy Statement

The Manawatu Badminton Association (MBA) is fully committed to safeguarding the welfare of all children in its care. We recognise the responsibility to promote safe practice and to protect children from harm and exploitation while participating in our activities.

Staff and volunteers will work together to embrace difference and diversity and respect the rights of children and young people.

For the purposes of this policy and associated procedures, a child is recognised as someone under the age of 18 years old.

This policy is based on the following principles:

- The welfare of children is the primary concern.
- All children, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious beliefs and/or sexual identity have the right to protection from all forms of harm and abuse.
- Child protection is everyone's responsibility.
- Children have the right to express views on all matters which affect them, should they wish to do so.
- Our organisation will work in partnership together with children and parents/caregivers to promote the welfare, health and development of children.

Policy Objectives

The aim of this policy is to promote good practice through:

- Promoting the health and welfare of children by providing opportunities for them to participate in badminton activities safely.
- Respecting and promoting the rights, wishes and feelings of children.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and protect them from abuse.

- Recruiting, training, supporting and supervising staff and volunteers to adopt best practice to safeguard and protect children from abuse and to reduce the risk to themselves.
- Requiring staff and volunteers to adopt and abide by this Child Protection Policy and outlined procedures.
- Responding to any allegations of misconduct or abuse of children in line with this Child Protection Policy and outlined procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Regularly monitoring and evaluating the implementation of this Child Protection Policy and outlined procedures.

Procedures

1. Recruitment and Screening

As part of our duty of care, we must ensure that suitable and appropriate employees and volunteers (including parents) are engaged to work with children. When recruiting people to engage with children we will ensure that there is a robust recruitment process that includes:

- Creating a role description.
- Developing candidate specifications.
- Advertising the position.
- An application process.
- Following up on referee's/references.
- Following up on previous employers/ job history.
- Interviewing candidates.
- Police Vetting.
- Using all of the above to assess the risk to children from the individual.

2. Child Protection Officer

A Child Protection Officer* (CPO) has been appointed to manage child protection issues by:

- Ensuring that Child Protection Policy and outlined procedures are understood and adhered to by all members.
- Organising promotional activities, training and raising awareness within the organisation.
- Establishing and maintaining the complaints procedure.
- Regularly reporting to the Board and/or Management.
- Acting as the main contact for Child protection matters.
- Keeping up-to-date with developments in child protection legislation.
- Liaising with local child protection agencies.
- Maintaining confidential records of reported cases and any action taken.
- Regularly monitoring and reviewing this Child Protection Policy and outlined procedures.

*The CPO for the MBA is James Veitch, General Manager.

3. Education and Training

Education and training of staff and volunteers will help the MBA to:

- Recognise the risks inherent in the sport.
- Recognise when children are at risk and from what.
- Take appropriate precautions to manage and limit identified risks.
- Respond in an appropriate manner to children who have been harmed or are suspected of being harmed.
- Understand our responsibilities in relation to keeping children safe both in terms of prevention and management responsibilities of cases that may arise.

Staff and volunteers will be trained during their induction. The MBA will also ensure that staff and volunteers receive ongoing education and training to keep up-to-date with any changes to the law or internal procedures for managing incidents of harm to children.

4. Good Practice Protocols

These protocols provide guidance to those working with children by outlining good practice and establishing boundaries in a range of situations. In addition to these protocols, those working with children must also abide by the MBA Code of Conduct.

- *Applying a child-centred approach where all children are treated equally and with dignity.*
 - Activities should be appropriate for the age and development of the children in your care.
 - Ensure feedback to children is about their performance and not of a personal nature.
 - Use positive and age-appropriate language when talking to children and in their presence.
- *Creating a safe and open working environment.*
 - Ensure that all physical contact with children is relevant and appropriate to the activity
 - Seek permission to touch when doing the above.
 - Do not engage in any intimate, over-familiar or sexual relationships with people under the age of 18 years.
 - Ensure that any filing of photography of children is appropriate.
 - Obtain consent prior to filing or photographing & explain purpose (e.g. to promote an activity etc.).
 - Request parental consent before transporting young people in a vehicle. Ensure the vehicle is insured and has a current WOF.
 - Ensure you have parental consent to administer first aid required.
 - Do not consume or use alcohol in the presence of children and do not offer alcohol to children under any circumstances.
 - Do not engage in communication on a one-to-one basis or otherwise through social media or email, other than for relevant coach/trainee feedback or administration.

- Do not engage in bullying or allow parents, coaches, other children or spectators to engage in any type of bullying behaviour, including cyber bullying.
- *Avoiding situations where you are alone with a child*
 - Avoid private or unobserved situations, including being alone with a child in the changing rooms.
 - Avoid entering changing rooms being used by children. If you must enter, knock and introduce yourself before entering. Try to have at least one other adult with you.
 - Avoid driving a child unaccompanied.
 - Do not invite or encourage children to your home.
 - Always have another adult present when staying overnight anywhere with children. Same-sex chaperones should be used.
 - Do not share a room with a child, other than your own.

5. Code of Conduct

The MBA has developed a Code of Conduct which outlines the MBA's expectations of all staff, coaches, volunteers, parents/caregivers and spectators. The Code of conduct reinforces good practice protocols and outlines the procedure for breaches of the code. This is available on the MBA website and subject to periodic review.

6. Complaints Procedure

In accordance with any persons' responsibility to act on any serious concerns, the following should be brought to the attention of the CPO:

- Any instance where this policy is breached, good practice protocols are not followed or there is an increase in the risk of harm to children.
 - Initial concerns should be discussed with the CPO (in absence of the CPO, The General Manager or a Board member should be notified).
 - Consider the allegation and where there is a legitimate concern provide a written notice to the individual(s) involved.
 - If the poor practice is continued or repeated following a written notice then enact the disciplinary procedures in the Code of Conduct.
- Any disclosure by a child that abuse or harm is occurring, or suspicions about a child being subject to abuse.
 - The welfare and interests of the child or young person are the first and paramount considerations.
 - Ensure the child is safe from immediate harm.
 - Consult immediately with CPO and/or person in charge of the event/activity.
 - As soon as possible, record accurately and appropriately the information received.
 - Records should be factual (not opinion or hearsay), concise and include:
 - the nature of the allegation;
 - who noticed/disclosed the abuse and their relationship to the child;
 - details of any witnesses (name, address, phone number, email);
 - signs and symptoms noted (including behavioural change);

- any particular incidents with dates, times and locations (if possible);
- any action taken.
- Consult with others as necessary. Do not work alone.
- Avoid questioning the child beyond what has already been disclosed.
- Do not question or counsel the alleged offender.
- Do not investigate/presume expertise unless very experienced and qualified to do so.
- Notify the Child, Youth and Family government agency and/or Police.
- Notify the MBA CPO.

7. Policy Review

The Child Protection Policy and outlined procedures will be regularly reviewed:

- In accordance with changes in legislation and guidance on the protection of children or following any changes within the MBA.
- Following any issues or concerns raised about the protection of children within the MBA.
- In all other circumstances, at least every twenty four months.

8. Additional Guidance

The MBA will:

- Have access to a register of every child involved with the group including relevant medical details and have a contact name and number in case of emergencies.
- Treat everybody with respect.
- Set an example we would wish others to follow.
- Where possible, consider activities that involve more than one adult being present or within sight and hearing of others.
- Be aware that on occasion our actions may be misinterpreted by others even if they were well intentioned.
- Respect a child's right to personal privacy.
- Provide time and attention for children to talk to us.
- Encourage children to respect and be courteous to others.
- Intervene to stop any inappropriate verbal or physical behaviour.
- Ensure all children are safely collected by parents/caregivers after MBA training and events have finished.
- Ensure that any suspicious or allegations of abuse are REFERRED, not investigated.
- Only refer and seek support from other agencies for those identified under the Child Protection Policy.
- Complete police vetting forms.

Appendix 1: Relevant Legislation

Health and Safety in Employment Act 1992

- This Act deals with the health and safety obligations of an employer to its employees. If a child is an employee of the sports club, the general health and safety obligations of employers under the Act will apply.
- There is also an obligation to ensure the safety of volunteers (some of whom may be children) while they undertake the work activity.
- Employers will be held vicariously liable to a third party of acts of its employees. For example, if an employee coach breached a sports club's duty of care to a child member, the club can be liable.

Children, Young Persons and their Families Act 1989

- The act deals with the responsibility for reporting likely or actual harm in the form of physical or sexual child abuse.
- Section 15 of the Act provides that:
Any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally or sexually), ill-treated, abused, neglected or deprived may report the matter to Social Worker or a constable.
- Section 16 of the Act provides protection for people who report ill treatment or neglect.
No civil, criminal, or disciplinary proceedings shall lie against any person in respect of the disclosure or supply, or the manner of the disclosure or supply, by that person pursuant to section 15 of information concerning a child or young person (whether or not that information also concerns any other person), unless the information was disclosed or supplied in bad faith.

Crimes Act 1961 – Protection of Children

- The key purpose of this part of the Act is to ensure that children are adequately protected from assault, neglect and ill-treatment.
- It places greater responsibility on adults (parent or persons in place of a parent) who have actual care or charge of a child to take reasonable steps to protect that child from injury. While 'a person in place of a parent' is not defined in the Act, it appears possible that sports club personnel could at times be considered to be a 'person in place of a parent'. For example, when taking children away to an event or tournament.
- The Act also compels people who live with a child and those who are in frequent contact with children and know, or ought to know, that the child is at risk of death, grievous bodily harm or sexual assault to take reasonable steps to protect the child from that risk.

Vulnerable Children Act 2014

- The Vulnerable Children Act 2014 made sweeping changes to protect vulnerable children and help them thrive, achieve and belong. The legislation includes:
 - one new stand-alone Act, the Vulnerable Children Act 2014
 - amendments to the Children, Young Persons, and Their Families Act 1989.
- The heads of six government departments are accountable for protecting and improving the lives of vulnerable children (NZ Police, Ministry of Health, Ministry of Education, Ministry of Justice, Ministry of Social Development and Oranga Tamariki [Ministry for Children]).
- Safety checking (screening and vetting) of every person in both central and local government children's workforce was introduced and people with serious convictions are prohibited from working closely with children, unless they are granted an exemption.
- Specified organisations are required to do safety checks before employing or engaging a children's worker (clause 25) and must safety check its existing children's workers (clause 26). There are various timeframes for doing this depending on whether the children's worker is considered to be a "core worker" or a "non-core worker". The safety checks required include:
 - confirming the identity of the person
 - considering specific information prescribed by regulation about that person; and
 - carrying out a risk assessment prescribed by regulation that assesses the risk the person would pose to the safety of children. (Clause 31)
- There is a prohibition on a specified organisation employing or engaging a person as a "core worker", unless exempt (<https://www.orangatamariki.govt.nz/working-with-children/childrens-act-requirements/core-worker-exemptions/>)

Other relevant legislation includes:

- Privacy Act 1993
- Income Tax Act 1983
- Minimum Wage Act 1983
- Sale of Liquor Act 1989
- Human Rights Act 1993
- Smoke Free Environments Act 1990
- New Zealand Bill of Rights Act 1990
- Care of Children Act 2004
- Equal Pay Act 1972
- Land Transport Act 1998
- Sports Anti-Doping Act 2006
- Gambling Act 2003

Appendix 2: Incident Report Form

Serious concerns should be reported to one of the following organisations ASAP:

- Oranga Tamariki 24/7 helpline on **0508 326 459**
- NZ Police on **111**

Remember when completing this form that DETAILS should be FACTUAL, not hearsay. It is not your job to investigate the concern, only to collect FACTS and REFER to MBA CPO, Oranga Tamariki or NZ Police.

Concerns about MBA staff or volunteers MUST be REFERRED to Oranga Tamariki or NZ Police, who will investigate as a third party.

Date:	Time:	Location:

Nature of the allegation (in the words of the person disclosing):

Who noticed/disclosed the abuse (their name & relationship to the child):

Details of witnesses (name, address, phone number & email of each):

Signs and symptoms noted (e.g. behavioural change):

Particular incidents (dates, times and locations of other, similar or otherwise, incidents):

Any action taken (e.g. reporting to MBA CPO, Oranga Tamariki or NZ Police):
