



# HAPPY VALLEY FOOTBALL CLUB

## MEMBER PROTECTION POLICY

### Introduction

Happy Valley Football Club (the Club, or HVFC herein) is committed to providing an environment that is safe for children, free from harassment, discrimination and abuse and promotes respectful and positive behaviour and values.

This policy provides a code of behaviour forming the basis of responsible, appropriate and ethical conduct which everyone must abide by. The Happy Valley Football Club is committed to ensuring that everyone associated with the Happy Valley Football Club complies with the policy. This policy outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. It also covers the care and protection of children participating in the Club's activities. The policy applies to everyone involved in the Club including committee members, administrators, coaches, officials, volunteers, players, parents and spectators.

### Club Responsibilities

The Club will:

- make any necessary amendments to our Constitution, bylaws or other policies to enable this policy to be enforceable
- implement and ensure compliance with the policy
- provide access to the policy to all involved with the Club
- respond to breaches or complaints made promptly, fairly, and confidentially and where necessary, refer serious breaches to the Southern Football League
- review this policy every 12 months

### Individual Responsibilities

Everyone associated with the Club must:

- comply with the standards of behaviour outlined in our policy;
- treat others with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

## 1. Protection of Children

### 1.1 Child Protection

HVFC is committed to the safety and wellbeing of all children and young people accessing our services. We support the rights of the child and will act without hesitation to ensure a child-safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment. The Club acknowledges that members and volunteers provide a valuable contribution to the positive experiences of children involved in AFL and aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:



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### **1.2 Identify and Analyse Risk of Harm**

Develop and implement a risk management strategy to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children.

### **1.3 Develop Codes of Conduct for Adults and Children**

Ensure Codes of Conduct that specify standards of conduct and care when interacting with children. The Code of Conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour.

### **1.4 Choose Suitable Employees and Volunteers**

Ensure all reasonable steps are taken to engage the most suitable and appropriate people to work with children. This may be achieved using a range of screening measures to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

### **1.5 Support, Train, Supervise and Enhance Performance**

Ensure that volunteers and employees who work with children have ongoing supervision, support and training, so that performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

### **1.6 Promote the Participation of Children in Decision-Making**

Promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

### **1.7 Report and Respond Appropriately to Suspected Abuse and Neglect**

Ensure that volunteers and employees are able to identify and respond to children at risk of harm. HVFC will make all volunteers and employees aware of their responsibilities under the Children's Protection Act 1993 if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

If any person feels another person or bound by this policy is acting inappropriately towards a child or is breaching the Codes of Conduct, they may make a complaint by following the complaints process as outlined within this policy.

### **1.8 Supervision**

Members under the age of 18 must be supervised at all times by a responsible adult. The Club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 18 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.



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### 1.9 Transportation

Parents/guardians are responsible for transporting their children to and from Club activities (e.g. practice and games). Where the Club makes arrangements for the transportation of children (e.g. for away or overnight trips), the Club will ensure vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and appropriate safety measures are available (e.g. fitted working seatbelts).

### 1.10 Taking Images of Children

HVFC acknowledges that in South Australia under the Summary Offences Act 1953, a person must not engage in indecent filming. Images of children and adults should not be used inappropriately or illegally. The Club requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. The Club also requires the privacy of others to be respected and disallows the use of camera phones, videos and cameras inside changing areas, showers and toilets. Where the Club uses an image of a child it will avoid identifying the child or, wherever possible, avoid using both the first name and surname. It will not display personal information such as residential address, email address or telephone numbers. The Club will not display information about hobbies, likes/dislikes, school, etc. as this information can be used as grooming tools by paedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport

## 2 Screening Requirements

As of the 1 July 2019, all persons aged 14 or over undertaking child-related work will be required to have a Working with Children Check (WWCC). This check is free to all volunteers across South Australia and is valid for a period of 5 years.

Working with Children Check (WWCC) is an assessment conducted by the DHS Screening Unit about whether a person is suitable to work with children based on the person's criminal history (if any) and the assessed risk to children who access services from the organisation.

### 2.1 Procedure

The HVFC will request a Working with Children clearance from any potential volunteer or apply for a check through the DHS Screening Unit.

Our screening measures are required for anyone within our organisation that provides a service or undertakes child-related work as defined by the Child Safety (Prohibited Persons) Act 2016.

We will obtain working with children check (WWCC) information issued by the Screening Unit, DHS, as required by the Child Safety (Prohibited Persons) Act 2016. We will obtain from the person their full name, email, home address, DOB and unique identifier and:

- Verify a working with children check has been conducted in relation to the person within the preceding 5 years.
- The person is not prohibited from working with children.



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- Provide the screening unit, DHS the name, address, telephone number and email address of the business at which the person is to be employed, and
- The name and contact details of the person who verified the matters referred to in points (a) and (b) above

### 2.2 Identifying affected positions

The HVFC will conduct an assessment of the criminal history of every person who is, or will be, engaged to work with children in this organisation, and its affiliated associations. As a first step, the HVFC has identified all individuals and positions within the organisation that involve working with children. These positions are:

- All coaches who interact and deal with Children and Young People.
- Umpires who officiate games involving Children and Young People.
- Club captains / players who interact and deal with Children and Young People.
- Team managers, trainers who interact and deal with Children and Young People; Safeguarding Children and Young People - Club Procedure
- Junior coordinators.
- Club president, secretary and other committee members for all clubs with Children and Young People participants.
- Other volunteers directly involved in the delivery of programs and services to Children and Young People; and
- Any other person required by SA law to hold a WWCC.

### 2.3 Club Responsibilities for Working with Children Checks

- Where a club continues to engage a person, they must ensure their WWCC remains current at all times.
- Clubs must notify the DHS Screening Unit of certain information about a person, e.g. if the club or league becomes aware of criminal charges relating to an employee or volunteer, or if a person is prohibited from working with children in another state or territory. They can report this information by logging into the DHS Screening Unit online portal. This must also be reported to HVFC Member Protection Officer (MPO).
- HVFC will verify their employees or volunteers with a WWCC via the DHS Screening Unit online portal. Multiple organisations can link to a person. If the person's WWCC status changes, clubs that have verified the person will be notified.
- Leagues for the purpose of ensuring compliance with SA Legislation may request evidence of the above from member clubs.

### 2.4 Exemptions from the requirement to conduct WWCC

In accordance with guidelines the HVFC has agreed to exempt the following persons from the requirement to undertake a WWCC, unless that person is also involved in a function or event conducted by the HVFC or its affiliated associations which involves the care of children in overnight accommodation.

- A member of SAPOL or AFP.
- A person who is under the age of 14.
- A visiting worker from another state if they hold an equivalent clearance from their home state.



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### **3 Inclusive practices**

The Club is welcoming, and we will seek to include members from all areas of our community.

#### **3.1 People with a disability**

Where possible we will include people with a disability in our teams and Club and make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

#### **3.2 People from diverse cultures**

We will support and respect people from diverse cultures and religions to participate in our Club and where possible. will accommodate requests for flexibility (e.g. modifications to uniforms).

#### **3.3 Sexual & Gender Identity**

All people, regardless of their sexuality or gender, are welcome at our Club. We strive to provide a safe environment for participation and will act on any homophobic behaviour.

#### **3.4 Pregnancy**

Pregnant women should hold their own health and wellbeing, and that of their unborn children, of utmost importance in their decision making about the way they participate in our sport. HVFC recommends pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

#### **3.5 Girls playing in boys' teams**

The Club will support girls playing in boys' teams up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required).

### **4 Anti-harassment, Discrimination and Bullying**

The Club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

HVFC takes all claims of harassment, discrimination, bullying and cyber bullying seriously and encourages anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the Club.



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### **5 Complaints**

HVFC takes all complaints about on and off-field behaviour seriously. The Club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of any complaint and have the opportunity to respond
- irrelevant matters will not be considered
- decisions will be unbiased and fair
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to the Member Protection Officer (MPO) of the Southern Football League. If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our Club will report the behaviour to the relevant authorities.

To make a complaint to the Club, please contact a member of the Executive to request a record of complaint form.

#### **5.1 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. President, Secretary or any Executive person) will:

- listen carefully and ask questions to understand the nature and extent of the problem.
- ask what the complainant would like to happen.
- explain the different options available to help resolve the problem.
- take notes.
- maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the Club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the person complaining to talk to the person being complained about
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation)
- gathering more information (e.g. from other people that may have seen the behaviour)
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g. Office for Recreation and Sport or Play By The Rules.)
- referring the complaint to the Southern Football League; and/or
- referring the complainant to an external agency such as a community mediation centre, police or antidiscrimination agency.

In situations where a complaint is referred to the Southern Football League and an inquiry is conducted, the club will:

- co-operate fully
- ensure the complainant and respondent are not victimised
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and act on the Southern Football League recommendations.



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At any stage of the process, a person can seek advice from or lodge a complaint with an antidiscrimination commission or other external agency

### 5.2 Disciplinary Measures

The Club will take disciplinary action against anyone found to have breached a policy or by-law or made false and malicious allegations. Any disciplinary measure imposed must:

- Be fair and reasonable
- Be based on the evidence and information presented and the seriousness of the breach
- Be determined by the Constitution, Bylaws and the rules of the game
- Be agreed upon by all members of the Executive Committee

Possible measures that may be taken include:

- verbal and/or written apology
- counselling to address behaviour
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club
- suspension or termination of membership, participation or engagement in a role or activity
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

### 5.3 Appeals

The complainant or respondent can lodge one appeal against decisions or disciplinary measures imposed by the Executive. This appeal is made to the Management Committee. The Management Committee will meet and vote to either uphold the decision of the Executive or decide on an alternative disciplinary measure. Where a decision cannot be unanimously agreed upon, it will be referred to the Southern Football League.

Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/Club.

Where the breach of policy results in reporting to the police or relevant authorities, no appeal will be allowed

**Reviewed: October 2023**

**Next Review: October 2025**