



[www.carinaleaguestriathlonclub.com](http://www.carinaleaguestriathlonclub.com)

Club Patron: Loretta Jones (nee Harrop)

## **CARINA LEAGUES TRIATHLON CLUB (CLTC) CHILD PROTECTION POLICY**

The CLTC is a non-profit organization based at the Clem Jones Sports Centre, Zahel Street, Carina, Queensland, 4152 and has a charter of promoting the sport of Triathlon to males and females of all ages.

The CLTC is aware of its duty of care and responsibility for the welfare and well-being of children within the Club, and recognises the need to protect children from abuse by coaching staff (staff), athletes and other persons associated with the Club and wider community.

The CLTC is fully committed to the Triathlon Australia Limited Member Protection By-Law dated October 2005 and effective 1st January 2006. CLTC will provide a copy of the Triathlon Australia Member Protection By-Law and this Child Protection Policy dated 1st July 2007 via the Club's website.

This Policy applies to all persons associated with the Club, whether paid or volunteers, who are at any time involved in a child-related activity. Such persons will consider themselves to be mandatory reporters of Reportable Conduct.

### **The purpose of this Policy is:**

1. to provide written processes about the appropriate conduct of staff and persons associated with the Club in accordance with legislation in Queensland relating to the care and protection of children;
2. to promote and strive to provide a safe, supportive and ethical environment within the Club;
3. to provide a mandatory process for reporting and managing allegations within the Club, which is clear and consistent;
4. to respond to allegations of abuse made under this Policy in a manner which is sensitive to the dignity, respect and confidentiality of all involved, including the alleged perpetrator;
5. to manage allegations in a fair and timely manner;
6. to provide a document which proclaims through a clear and complete explanation the attitudes and accepted accountabilities and responses of the Club in relation to abuse.



## **PRINCIPLES**

1. Staff and persons associated with the Club must ensure that their behaviour towards, and relationships with, children reflects proper standards of care for children, and is not unlawful.
2. Staff and persons associated with the Club must not, under any circumstances, abuse a child.
3. Abusive acts by a person associated with the Club are a breach of trust.
4. Abuse may result in criminal proceedings as well as disciplinary action, including dismissal in the case of staff, whilst in the case persons associated with the Club; abuse may result in the person being banned from any relationship with the Club.
5. Sexual Acts by staff or persons associated with the Club, with a child, will always be considered Sexual Abuse.
6. The Club recognises that people who are subjected to Abuse are harmed by it.
7. In every preventative or protective action relating to harm to a child the welfare and best interests of the child will always be a primary consideration.
8. The Club expects children within the Club to show respect to staff and persons associated with the Club and to comply with safe practices.
9. The Club will respond diligently to a report of suspected or actual harm, or risk of harm to a child.
10. The Club will not tolerate reprisals against children or others making a complaint.
11. Within the Club, practices relating to the management of children will be administered with respect and in a manner which maintains the dignity of the children.
12. The Club will act fairly and reasonably towards staff or persons associated with the Club who is the subject of allegations of improper conduct.
13. The Club will support staff or persons associated with the Club who is the subject of a proven false allegation of causing harm to a child.
14. The Club will take disciplinary action against staff who harm others, and appropriate action against persons associated with the Club who harm others.
15. The Club will not permit people to work in a position within the Club if the Club believes on the basis of all information available that, if the allegations against them were wholly or partly true, there would be an unacceptable risk that others might be harmed.
16. The Club may accept a moral obligation to help people who have been abused where there is no legal obligation to do so. This obligation may extend to others affected by the abuse such as family, close friends, other members of the Club.
17. The Club will co-operate with state authorities in resolving allegations of harm.
18. The Club will publish this policy widely within the Club and require all persons associated with the Club to abide by it.
19. Persons receiving information regarding abuse or suspected abuse should explain to the informant that the information supplied will be:
  - confidential, to the extent that this is possible given the need to investigate allegations and requirements of the law; and



- victimisation of the informant will not be tolerated.

20. The Club will ensure that the following is undertaken in order to reduce the chance of abuse occurring:

- ensure that within the Club, sexual abuse is discussed openly;
- ensure that staff and persons associated with the Club understand and fulfil their obligations under this policy;
- ensure that there is an acceptable reference from their previous employer for staff within the Club.
- ensure that staff and persons within the Club who have contact with children have a current positive suitability notice issued by the Commissioner for Children and Young People and Child Guardian under the Commission for Children and Young People and Child Guardian Act 2000.
- Ensure all children do not leave the Clem Jones Sports Centre during or after each training session unless accompanied by a parent or trusted person.



## **GUIDELINES**

In complying with these principles, the Club will be guided by the following:

### **Natural Justice**

The principles of Natural Justice will apply to decisions to be made under this Policy. The two fundamental principles of Natural Justice are:

- that those making a decision are not biased;
- that nobody should be condemned unless they are given prior notice of the allegations against them and they have a fair opportunity to be heard.

### **Confidentiality**

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. The Club is unable to promise absolute confidentiality since it's policies will require disclosing, internally and externally, certain details involved in responding to any complaint. State authorities can compel people to give evidence about actions under the policy and to produce documents.

### **Defamation**

A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability for defamation.

### **Promptness**

All steps under this policy should be carried out promptly. The Club will keep the alleged victim and the alleged perpetrator informed of progress.

### **Public Relations**

The Club will ensure that it is able to react quickly to allegations of harm so that accurate and relevant information is available for staff members, children and their families within the Club and/or the media.

### **Police Action**

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing internal enquiries or disciplinary proceedings. This does not preclude the Club from seeking advice from police regarding the duty of care to other children which may involve the standing down of a staff member during an investigation. The police are not required to inform the Club about their investigation. Some of their material may be acquired under a Freedom of Information request when their work on the case is finished.

### **Insurer**

The Club will keep its insurer informed about developments.

### **Review**

The Club will ensure that this policy is reviewed annually.



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## PROCEDURES FOR REPORTING ABUSE / HARM

1. Anyone who witnesses abuse or harm to a child must report it immediately to a Person in Authority within the Club.
2. Anyone who becomes aware or reasonably suspects that abuse or harm has been caused by anyone to a child should report it immediately to a Person in Authority and keep a written record of the actions taken. If the subject of the allegations is against a "Person in Authority" the report should be made to an alternative "Person in Authority".

**Note:** Under s 76KC of the Health Act 1937 and s 191 of the Public Health Act 2005, doctors and registered nurses, have an obligation to give notice of harm or likely harm immediately to the Chief Executive, Department of Child Safety, if:

- a) they become aware, or reasonably suspect, during the practice of their profession, that a child has been, is being, or is likely to be, harmed; and
- b) as far as they are aware, no other doctor or nurse has notified the Chief Executive under the section relating to the harm or likely harm.

This notice can be given orally, by fax, by e-mail or by similar means and must then be followed up with written notice within seven days. The notice must include:

- the child's name;
- the child's date of birth;
- the place or places where the child lives;
- the names of the child's parents;
- the place or places where the parents live or may be contacted;
- details of the harm or likely harm of which the professional is aware or that the doctor or nurse suspects; and
- the doctor or nurse's name, address and telephone number.

The doctor or nurse may seek further information about harm or likely harm to a child before forming a reasonable suspicion about the matter, for example, by consulting with a colleague.

A person who becomes aware of the identity of a person who has notified authorities about harm must not disclose the identity of that person except in the circumstances set out in s 186(2) of the Child Protection Act 1999.

1. On receipt of a report of abuse or harm other than the suspected Sexual Abuse of a child the Person in Authority will carry out a preliminary assessment to determine whether that Person in Authority reasonably suspects that the abuse or harm has occurred.
2. There will be two Persons in Authority present at interviews, where practical. In cases of allegations of serious harm, it is best not to interview a child unless a properly qualified person conducts the interview.
3. If as a result of the preliminary assessment the Person in Authority reasonably suspects abuse or harm to have been caused, that Person in Authority should report it to the police or the Department of Child Safety, and keep a written record of the actions taken



4. A child who wishes to report behaviour by staff or persons associated with the Club by that child to be inappropriate should report the behaviour to a Person in Authority.
5. That Person in Authority, upon receiving a report by a child of inappropriate behaviour of a staff member or persons associated with the Club should interview the child, the staff member or person associated with the Club named in the report and any other person who may be able to provide useful information.
6. The Person in Authority will present any case of abuse or harm to a child to the Club's Management Committee and this management Committee will determine the appropriate discipline to be actioned.
7. Any staff member or person associated with the Club who becomes aware or who reasonably suspects that a child has been Sexually Abused should immediately give a written report about the Sexual Abuse or suspected Sexual Abuse to a Person in Authority within the Club.
8. The Person in Authority, upon receiving a report from staff or persons associated with the Club who is aware or reasonably suspects that a child has been Sexually Abused should immediately give a copy of the report to a police officer.
9. The report must contain the following particulars:
10. the name of the person giving the report (the "first person");
  - the child's name and sex;
  - details of the basis for the first person becoming aware, or reasonably suspecting, that the child has been Sexually Abused by staff or person associated with the Club;
  - details of the Sexual Abuse or suspected Sexual Abuse;
  - any of the following information of which the first person is aware –
    - I. the child's age;
    - II. the identity of staff or person associated with the Club who has Sexually Abused, or is suspected to have Sexually Abused, the child;
    - III. the identity of anyone else that may have information about the Sexual Abuse or suspected Sexual Abuse.
11. The Person in Authority will ensure that the child is supported even if any allegation is not yet proved or disproved;
  - treat the child with respect and dignity;
  - be sensitive to the child's needs, feelings and concerns; and
  - maintain confidentiality, to the degree possible in the circumstances.
12. The Person in Authority will ensure that the respondent is treated with respect and dignity.



## **DEFINITIONS**

“Abuse / Harm” means activity or deliberate or careless inactivity which causes harm to a person's physical, psychological or emotional wellbeing. The harm can be caused by physical, psychological or emotional abuse.

“Sexual Abuse” means any actions with a child for the sexual gratification of the perpetrator.

“Child” means a person under 18 years of age.

“Person in Authority” means persons appointed by the Club's Management Committee from time to time, the details of which are published on the Club's website.

“Reportable Conduct” is anything which an individual, an institution or a process does or fails to do which directly or indirectly harms a child. All reportable conduct is unacceptable.

“Staff” includes all persons employed by CLTC or the Clem Jones Sports Centre.

“Persons associated with the Club” includes athletes, supporters, sponsors and parents of children.

This policy will be made available to children and parents of children within the Club via the Club's website.

