

Establishing Child Safe environments as required by Children's Protection Act 1993 in South Australia

The *Children's Protection Act 1993* in South Australia requires some organisations to take a number of steps help protect children in their care.

Some organisations need to:

- Conduct criminal history assessments on certain employees, contractors and volunteers who are working with children (unless an exemption applies); and
- Lodge a Child Safe Environment Compliance Statement with the Department for Education and Child Development.

Which organisations are affected?

This applies to all government, non-government and local government organisations that provide the following services wholly or partly to children:

- health
- welfare
- education
- sporting or recreational
- religious or spiritual
- child care
- residential service

How does this affect Football?

The Football Federation Australia (FFA) provides a comprehensive Membership Protection Policy, which the Football Federation SA (FFSA) and all affiliated associations must abide by.

This Policy applies to the Football Federation Australia, Member Federations, District (Country) Associations, Competition Administrators, Clubs, Officials, Agents and Players. To the fullest extent possible, it also applies to parents or guardians of Players and to spectators at Matches.

The FFA Member Protection Policy aims to ensure that the sports core values, good reputation and positive behaviour and attitudes are maintained and upheld. It assists to ensure that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. The aim of this Policy will also ensure that everyone involved in Football is aware of his or her legal and ethical rights and responsibilities.

By affiliating and/or registering with the FFSA you are agreeing to adopt the FFA Member Protection Policy. A copy of the FFA Member Protection Policy can be accessed at <http://www.footballaustralia.com.au/site/content/document/00001086-source.pdf> or from the FFSA website at www.ffsa.com.au

Child Safe Environment Requirements

1. Lodging a Compliance Statement.

From January 2011 sport and recreation organisations that provide services for children were required to lodge a child safe environment compliance statement with the Department of Education and Child Development: Families SA.

This is a once only requirement was to be completed by 28th February 2011.

The Football Federation SA has submitted a single compliance statement on behalf of all clubs and affiliated associations. This compliance statement stipulates that all affiliated clubs and associations are providing and abiding by the necessary policies and procedures to ensure that there is a child safe environment within our sport.

Action:

To be covered by this compliance statement all affiliated clubs and associations must complete the attached form (Appendix A) agreeing to implement and abide by the policies and procedures of the Football Federation SA (this document) relating to child safe environment.

The adoption of a single compliance statement will ensure consistency across the whole of the sport. The single compliance statement will also mean that each individual club and/or association is not required to submit such a statement.

2. Police checks and criminal history assessments

The Football Federation SA stipulates that any person that holds a 'Prescribed Position', as outlined below, involving a person 17 years of age or under must complete a criminal history assessment which includes a police check. The exemption to undertaking a criminal history assessment is also outlined below:

*** A prescribed position is:**

- All people who have regular contact with children or regular work in close proximity to children and are not directly supervised.
- Manage or supervise such personnel.
- Have access to records in relation to children that are prescribed by regulation (child protection services, education services, health services, disability services, court orders, and proceedings).

**** Exemptions:**

- A person who volunteers who is less than 18 years of age
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in a month
- A person occupying a position in which all work involving children is undertaken in the presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children
- A person who undertakes, or a position that only involves, work that is not for the exclusive benefit of children and is not provided to any child on an individual basis
- A person who is a police officer or a registered teacher.

The Football Federation SA has already developed a policy relating to the National Criminal History Record Check (NCHRC). This policy clearly outlines who needs to complete a NCHRC and the process that needs to be undertaken to obtain the NCHRC. (Appendix B)

As an affiliate of the Football Federation SA there will be no need for you to develop your own policy, as the Football Federation SA policy will be adopted. In addition, as an affiliate you will also have access to the Football Federation SA Volunteer Organisation Authorisation Number

(VOAN), this will enable your volunteers to obtain a police check free of charge. The adoption of the NCHRC will ensure that your association has an adequate policy in place without having to spend time developing one.

Action:

Implement the Football Federation SA policy relating to the National Criminal History Record Check (NCHRC)

3. Mandatory Reporting

Everyone involved in a recreation group or sporting club has a responsibility to care for and protect any children who participate in their activities. Previously teachers, medical practitioners, health professionals, social workers, childcare workers, day care providers, and people within government departments that provide services to children, by law have been required to report suspicions or incidents of abuse.

In December 2005 the Children's Protection Act of 1993 was revised and an Amendment Bill passed. This extended the legal requirement to include:

*Any other person who is an employee of, or volunteer in, a Government Department, agency or instrumentality, or local government or non-Government organisation that provides health, welfare, education, **sporting or recreational**, child care or residential services wholly or partly for children, being a person who:*

- a. is engaged in the actual delivery of those services to children; or*
- b. holds a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children*

What does this mean?

Staff and volunteers of recreation and sport groups working with children now have a legal obligation to report any suspected child abuse and/or neglect to the Child Abuse Report Line 13 14 78. This includes all clubs that are affiliated with the Football Federation SA or through an affiliated association.

Action:

Your club and/or association should identify and advise persons affected by this requirement that they now have this legal responsibility.

4. What else does your club or association need to do?

As outlined above the Football Federation SA has amended the Football Federation Australia Member Protection Policy. This amendment helps ensure that South Australian based clubs and associations are compliant.

To fully ensure that all clubs and affiliated associations are compliant the following steps must be completed:

Stage 1:

1. Information outlined in this document is read and discussed by your club and/or association committee.
2. Your club or association are required to sign the compliance form (Appendix A) agreeing to abide by the amended Football Federation SA Member Protection policy, including the adoption of policies and procedures relating to the Child Safe Environments.

On receipt of this statement you will be forwarded by the FFSA an 'Our Club: Supports Kids, Is Safe For Kids, Is Fun for Kids' poster to be placed on your notice board.

Stage 2:

3. Your club and/or association is required to communicate with your members the adoption of the Football Federation SA amended Member Protection and Child Safe Environment processes and procedures either by placing the documents on your club's or association's website or by posting a link direct to the Football Federation SA website for access to the information.

You should also display prominently your 'Our Club: Supports Kids' poster.

4. Ensure that all of the information relating to the National Criminal History Record Check (NCHRC) is presented to your members and ensure that all volunteers that are required to have a NCHRC undertake this process.
5. The club or association nominate a person to become a Child Safe Officer (CSO) and ensure that this person has an appropriate level of understanding. A course providing training to support the CSO role is available through the Office for Recreation and Sport. Once they have been appointed and have met the appropriate level of knowledge add this persons photo to the 'Our Club: Supports Kids' poster.

(The CSO course is free and is only a 3 hour course. To find details of where and when these courses are available and to register go to www.recsport.sa.gov.au/training-support/CPSE-Specific-Club-Roles.html)

6. Make sure all of your staff, coaches, officials and volunteers working with children (U18) at your club/association receive a copy of the club/associations Code of Behaviour. Encourage everyone at the club to undertake the FREE online training available at www.playbytherules.net.au
7. Undertake a risk assessment of the clubs facilities and practices to identify any potential risks to the safety of children. Address these as soon as possible. Keep a register of your clubs actions.
8. Engage children and young people so they can have a say on issues that impact on their involvement. This may simply be through feedback forms or you may consider other opportunities for comment.

Ensure they are aware of their rights and responsibilities as members of the club and know who they can approach (ie. The CSO) if they have an issue.

9. Build and maintain a commitment to provide a child safe environment which is embedded in the club's culture. This will ensure the club is a safe and welcoming place for children and young people.

Further Information

If your club or association requires any further assistance in regards to this document or the requirements outlined in this document please contact The Football Federation SA.

Information can also be gained by clicking on the links below

Families SA-Child Safe Environments

www.families.sa.gov.au/childsafe

Office for Recreation and Sport

<http://www.recsport.sa.gov.au/training-support/CPSE-Strategies.html>



Appendix A:

CHILD SAFE ENVIRONMENT COMPLIANCE STATEMENT

Name of Club or Association _____

1. Endorses and agrees to abide by the Child Safe Environment Compliance Statement that has been lodged by the Football Federation SA with the South Australian Department of Education and Child Development: Families SA.
2. Agrees to implement and adhere to the steps outlined in this document to ensure that the club or association is compliant.

Name: _____

Signed: _____

Date: _____

If this document is being signed on behalf of an association, every club that is affiliated to the association must sign off on this document.

Name of Club	President/Chair	Sign	Date

Appendix B

FFSA National Criminal History Record Check (NCHRC) Procedure

- 4.1 To complete National Criminal History Record Check (NCHRC), the applicant must obtain a National Police Certificate Application Form PD267 online form. This form can be located at http://www.sapolice.sa.gov.au/sapol/services/information_requests/police_checks.jsp and then **click into Police Check Application PD 267**.
- 4.2 The applicant shall complete the Application Form online. Once the form is completed, the applicant will be required to print the form. If an applicant is unable to complete the form online, the applicant will be required to request a hardcopy from the Records Release Unit on 8204 1408. Please note that a blank copy of this form cannot be downloaded from the above website.
- 4.3 Once the form is completed and printed, the applicant will be required to present the completed form along with 100 points of ID to a local police station. On presentation of this information, it will be verified and stamped. If the applicant is submitting this form as a volunteer of a FFSA affiliated Club and/or association, the form must be retained by the volunteer and submitted into the FFSA to insert a Volunteer Organisation Authorisation Number (VOAN), which waives the fee for volunteers. **Please note that if the form is retained at the Police Station a fee will be payable. If an applicant does pay a fee, the FFSA can not reimburse the fee.**
- 4.4 Once the form has been stamped at a police station, the form must be submitted into the Football Federation SA. The form may be submitted personally by the applicant or by the applicant's club or association or posted to the Football Federation SA.
- 4.5 The form will be checked by the designated FFSA representative, the VOAN will be inserted, and the form signed by the FFSA representative.
- 4.6 Once the form has been signed by the FFSA Representative, FFSA will submit the form into Records Release Unit.
- 4.7 The National Police Certificate will be sent to the applicant. On receipt of the certificate, the applicant or the applicant's club and/or association (if the applicant provides permission) must bring the certificate to the FFSA or association to sight.

When a criminal history is recorded the FFSA or association representative will assess the information according to the *Standards for dealing with information about the criminal history of employees and volunteers who work with children*. (DECD 2012)

Once the assessment is complete the FFSA or Association representative will record the name of the person on the FFSA or Association Security Clearance Database together with the code STV (Suitable To Volunteer) or NSTV (Not Suitable To Volunteer) and return the original National Police Certificate to the applying person.

The FFSA, club or association are not permitted to take a copy of the certificate or retain the original certificate. It must be retained by the individual.

- 4.8 Each association is responsible for compiling a data base of all volunteers that have had a criminal history assessment completed on their behalf. This data base is to be provided to the FFSA to ensure a central record of all volunteers is maintained.

A full copy of the FFSA National Criminal History Record Check (NCHRC) Procedure can be obtained from the FFSA website.

Appendix C

COMPLAINTS PROCESS

Rationale

The Football Federation SA (FFSA) is committed to providing a high-quality service to all our stakeholders. If as a stakeholder you have a concern, this needs to be conveyed to the FFSA so that appropriate action may be implemented. This will assist to improve the service and standards provided to the football community.

Complaints may vary in severity and complexity, and may be addressed informally or formally. The FFSA aim to provide consistency and fair handling of all complaints through this procedure.

Required Outcome 1:

To ensure that all clubs and affiliated associations abide by the Football Federation Australia (FFA) and FFSA Competition Rules and Regulations, policies and procedures.

Required Outcome 2:

To provide a clear and concise complaints process including an appeal process.

Required Outcome 3:

To provide consistency and fair handling of all complaints.

Complaint Process

Prior to submitting a complaint.

1. Prior to contacting the FFSA in relation to a complaint, the complainant should consider whether the matter has been addressed with the person/s concerned. If the complaint is in relation to a club or association, in the first instance, the club and/or association should be provided the opportunity to resolve the matter.
2. Prior to submitting a formal complaint, a person may contact the FFSA to determine if the matter can be resolved without making a formal complaint. In undertaking this process the FFSA will only provide information, they will not make a determination or tell the person what action they should or should not undertake.

Submission of a complaint.

1. All complaints are to be submitted in writing. The information should be specific and provide details relating to the actual complaint.
2. If the complaint is in relation to a competition matter, it should be addressed to the relevant Competition Administrator.
3. If the complainant is unsure who the matter is to be addressed to, they may contact the FFSA for further information.

Investigating a Complaint

1. Once the complaint has been received, it will be reviewed and investigated. Investigation may entail gaining more information, referring the matter to another person within the organisation or referring the matter to the FFSA Grievance/Disciplinary Committee.
2. Once the matter has been investigated, a written response relating to the findings and the action to be implemented will be conveyed to the complainant.

Grievance/Disciplinary Committee

1. The FFSA Grievance/Disciplinary Committee is an independent body.
2. If the matter is referred to this committee, a hearing date and time will be conveyed to the complainant.
3. The complainant and any witnesses, will be required to attend the hearing.
4. The Grievance/Disciplinary Committee will hear the matter and provide a finding. The finding may be provided at the hearing or conveyed to the FFSA within 7 days, to be provided to the complainant.

Appeal Process

1. A person may appeal a decision of the FFSA or the Grievance/Disciplinary Committee in accordance with the National Disciplinary Regulations.
2. To lodge an appeal, the appeal must be in writing and must be accompanied by the appeal fee.
3. On receipt of the appeal, the FFSA will refer the matter to the Appeal Committee.
4. An Appeal Hearing will be scheduled and notified to the person who submitted the appeal.
5. The Appeal Committee will hear the matter and provide a finding. The finding may be provided at the hearing or conveyed to the FFSA within 7 days, to be provided to the complainant.

National Grievance Procedure

1. If a complainant is not satisfied with the outcome of the above process, a grievance may be submitted to the FFA in accordance with the National Grievance Resolution Regulations.