

Hawthorn Basketball Association

Statement of Commitment to Child Protection

1. Hawthorn Basketball Association (**HBA**) is committed to child safety. We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.
2. We have zero tolerance towards child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we will follow rigorously.
3. HBA is committed to preventing child abuse, identifying risks early and reducing those risks.

HBA and Children

4. HBA is integrally involved with children and basketball. In particular, HBA runs a junior domestic basketball competition for both boys and girls at which clubs can enter basketball teams (**Domestic Program**). HBA administers and manages the Domestic Program.
5. HBA also has its own representative programs whereby it fields junior teams into a higher grade of competition. The junior representative program is known as "Junior Magic". Junior Magic provides children playing at clubs in the HBA Domestic Program (both boys and girls) with an opportunity to play at a higher level of competition under the Hawthorn Magic brand.
6. Children also sometimes play in HBA's senior domestic and representative programs.
7. HBA also engages referees and coaches for its Domestic Program and Junior Magic who are children.
8. Given the many ways in which children are involved with HBA, the HBA board has a responsibility to provide a safe and inclusive environment for children, and HBA as a whole, takes this responsibility very seriously.

Purpose

9. The aims of this policy are:
 - a. to promote good practice,
 - b. provide children and young people with appropriate safety/protection whilst in the care of HBA,
 - c. prevent abuse from occurring,
 - d. in the event that allegations of child abuse are raised, ensure that the allegations are properly addressed, and
 - e. allow staff and volunteers to make informed and confident responses to specific child protection issues.

Policy Statement

10. HBA is committed to the following:

- a) the welfare of children,
- b) all children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in basketball in a fun and safe environment,
- c) taking all reasonable steps to protect children from harm, discrimination, degrading treatment and child abuse in all forms and to respect children's rights, wishes and feelings,
- d) all suspicions and allegations of poor practice or child abuse will be taken seriously and responded to swiftly and appropriately,
- e) all HBA officers, employees and volunteers will be screened. Recruitment of personnel will be based on whether a person is suitable for the responsibility of working with children. All HBA employees and volunteers will be provided with guidance and/or training in good practice and child protection procedures, and
- f) working in partnership with parents and children is essential for the protection of children.

Promoting Good Practice

11. HBA aims to provide children with the best possible experience and opportunities in basketball. All stakeholders of the HBA must operate within an accepted ethical framework, including the HBA Child safety Guidelines.
12. It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of employees or participants in basketball to make judgements about whether or not abuse is taking place. It is, however, their responsibility to identify poor practice and possible abuse and act if they have concerns about the welfare of the child.

Valuing diversity

13. We promote diversity and tolerance in the HBA, and people from all walks of life and cultural backgrounds are welcome. In particular we:
 - a) promote the cultural safety, participation and empowerment of Aboriginal children,
 - b) promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds, and
 - c) ensure that children with a disability are safe and can participate equally.

Identify and Analyse Risk of Harm

14. HBA will develop a child safety sub-committee to review existing child protection practices, to determine how child-safe and child-friendly HBA is, and to determine what additional strategies are required to minimise and prevent risk of harm to children.

Promoting child safety

15. HBA is committed to promoting a child safe culture and will provide opportunities for all stakeholders to contribute to HBA's policies and practices.
16. Child protection is a shared responsibility between HBA, its employees and volunteers, its member clubs, their employees and volunteers and all parents, coaches, spectators, and members of the HBA community. Everyone that participates in HBA activities is responsible for the care and protection of children, and reporting information relevant to child protection.

Training and Supervision

17. Training and education is important to ensure that everyone within HBA understands that child safety is everyone's responsibility.
18. Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse, to detect potential signs of child abuse and to handle allegations of child abuse appropriately.
19. We will provide our staff and volunteers with the appropriate training, supervision and support to protect children from abuse and promote a culture of child safety within the HBA.

Child Welfare Officer

20. The HBA has appointed a Child Welfare Officer (HBA, General Manager).
21. The Child Welfare Officer is appointed so that there is a designated point of contact for matters of child safety. We expect our members and staff to discuss any concerns that they may have about the welfare of a child IMMEDIATELY with the nominated Child Welfare Officer. The Child Welfare Officer will ensure that the concerns/incident reported to him/her remain confidential and that the identity of the person reporting the concern/incident is not revealed.
22. Should a person wish to make any enquiries in relation to this policy or a matter regarding child protection, contact childsafety@hawthornbasketball.com.au.
23. The Child Welfare officer will be required to report all incidents to the appropriate authority at Basketball Victoria.

Screening and Recruitment

24. HBA will ensure that all reasonable steps are taken to engage the most suitable and appropriate people to work with children. This is achieved using a range of screening measures. Such measures are outlined in the Code of Conduct.

Legislative Responsibilities

25. We take our legal responsibilities seriously, including:

- a) **Failure to disclose:** Reporting child abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.¹
- b) **Option to report:** if a person believes on reasonable grounds that a child is in need of protection from any form of child abuse, they may disclose that information to the police or the appropriate government authority.
- c) **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.²
- d) Any personnel who are **mandatory reporters** must comply with their duties.³

Regular Review

26. This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute and will take any feedback on board.

Allegations, Concerns and Complaints

27. Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.
28. We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.
29. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

¹ A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

² Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

³ Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

Definitions

Child: The words 'child' and 'children' in this guide refer to children and young people up to the age of 18 years.

Child abuse: Child abuse includes:

Physical abuse: Physical abuse occurs when a parent or caregiver subjects a child to physically aggressive acts. The abuser may inflict an injury intentionally or unintentionally, or inadvertently as a result of physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, kicking; giving a child alcohol or drugs; or training that exceeds the child's development or maturity);

Sexual abuse: occurs when adults or other children involve a child in any sexual activity. It includes both contact and non-contact behaviour, and when a child is encouraged or forced to watch or engage in a sexual activity, or any other inappropriate conduct of a sexual nature. Examples include sexual intercourse, masturbation, kissing or fondling, oral sex, making sexual comments, engaging children in sexual conversations in-person or via social media, voyeurism (i.e. observing a child in an action that is considered to be of a private nature, such as undressing in a change room), nudity (i.e. an abuser exposing themselves or the child) touching a child's genitals or breasts, encouraging a child to view pornography including child pornography or other inappropriate touching or conversations); and exploiting a child through prostitution.

Emotional or psychological abuse occurs when a caregiver or parent repeatedly rejects or threatens a child. Often there is a pattern of emotional or psychological abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts, taunting, sarcasm, yelling, negative criticism, placing unrealistic expectations on a child or continual coldness from the caregiver or parent, to an extent that results in significant damage to the child's physical, intellectual or emotional wellbeing and development.

Neglect is the persistent failure or deliberate denial to provide the child with the basic necessities of life. (e.g. failing to give adequate food, clean water, adequate supervision, medical attention, shelter, clothing or to protect a child from danger or foreseeable risk of harm or injury).

Grooming is a term used to describe what happens when a perpetrator builds a relationship with a child with a view to abuse them at some stage. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer (e.g. giving special attention, providing favours, and giving gifts) for the purpose of facilitating sexual activity at a later time.