

**\*\*POLICY NAME:\*\*** Child Safe Policy

**\*\*DATE OF ISSUE:\*\*** 7th APRIL 2022

**\*\*POLICY COVERAGE:\*\*** Applies to all visitors, clients, customers, athletes, and contractors participating in or viewing any service, program, or event at Jungle Cats' office, warehouse, and all external venues.

**\*\*DATE REVIEWED:\*\*** Annually by Management

**\*\*CONTROLLING BODY:\*\*** KACCE HOLDINGS PTY LTD t/a Jungle Cats Cheer, Dance & Aerobics

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## **\*\*1. INTRODUCTION\*\***

1.1 Jungle Cats is devoted to providing a safe and fun-loving environment for students. This policy aims to protect the safety of children in our care, prevent abuse, and address allegations seriously and confidentially.

1.2 For inquiries, contact the Managing Director, Amanda Eastwood.

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## **\*\*2. POLICY STATEMENT\*\***

2.1 Jungle Cats is committed to providing the highest level of membership & service. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering Jungle Cats's activities while acting in the best interests of children in the sport.

2.2 Specifically, Jungle Cats considers that the health, safety and well-being of children take priority over all other competing considerations. Jungle Cats considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, Jungle Cats and its affiliate members.

2.3 JUNGLE CATS has a zero-tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, ethnicity, religion, disability, sexual orientation etc.

2.4 Child protection is a shared responsibility between JUNGLE CATS, its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers and members of the JUNGLE CATS community. Everyone that participates in JUNGLE CATS's activities are responsible for the care and protection of children and reporting information about child abuse.

2.5 JUNGLE CATS supports the active participation of all children. It listens to their views, respects their views and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

2.6 JUNGLE CATS is also committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children living with a disability.

2.7 JUNGLE CATS promotes fairness and consideration for all staff, volunteers and participants.

2.8 JUNGLE CATS will ensure all online environments are used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and practices.

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### **\*\*3. SCOPE\*\***

3.1 This policy applies to participants, parents, spectators, contractors, officials, coaches, and staff across all Jungle Cats physical and online events and activities.

3.2 This policy applies retrospectively even after the cessation of association or employment with Jungle Cats.

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### **\*\*4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS\*\***

4.1 Must be read in conjunction with relevant Commonwealth and Victoria laws, including but not limited to:

- Children, Youth, and Families Act 2005 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) 2022 (Vic)
- Crimes Act 1958 (Vic)
- Working with Children's Act 2005 (Vic)

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### **\*\*5. DEFINITIONS\*\***

5.1 **Child:** a person involved in Jungle Cats activities and under 18 years old.

5.2 **Child protection:** measures to safeguard children from harm.

5.3 **Sexual offence** means a criminal offence involving sexual activity or actions of indecency or any act which exposes a child to, or involves a child in, sexual activity or matters beyond his or her understanding or contrary to accepted community standards. Sexual offence

behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or the child's carer, family or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence.

5.4 **Mandatory reporter:** legally required to report to the Department of Human Services or the Police if they form a belief that a child is in need of protection.

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## **\*\*6. RECOGNIZING AND REPORTING CHILD ABUSE\*\***

6.1 A person may, in the course of participating in the sport or other activities of JUNGLE CATS or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.

6.2 If an immediate risk is identified, call "000" as soon as practicable.

6.3 Child abuse can be divided into four categories:

6.3.1. Physical abuse: occurs when a child has suffered, or is likely to suffer, significant harm as a result of a physical injury, such as a non-accidental physical injury.

6.3.2. Sexual abuse: occurs when a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.

6.3.3. Emotional and psychological abuse: occurs when a child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is or is likely to be significantly damaged; and

6.3.4. Neglect: occurs when a child's physical development or health has been or is likely to be significantly damaged. It refers to an omission, such as depriving a child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

6.4 Child abuse includes any actions that results in actual or potential harm to a child, in circumstances where the child's parents have not protected, or are unlikely to protect, the child.

6.5. Mandatory Reporters

6.5.1. Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a

child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

6.5.2. This report must be made as soon as practicable and after each occasion where he or she becomes aware of a further reasonable ground for the belief.

## 6.6. Reasonable grounds for belief

6.6.1. A reasonable belief is formed if a reasonable person believes that:

6.6.1.1. the child is in need of protection;

6.6.1.2. the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and

6.6.1.3. the child's parents are unable or unwilling to protect the child.

6.6.2. To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation and whether there are any other related matters known regarding the alleged perpetrator.

6.6.3. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

6.6.4. You will have reasonable grounds to notify if:

6.6.4.1. a child states that they have been physically or sexually abused;

6.6.4.2. a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);

6.6.4.3. someone who knows a child states that the child has been physically or sexually abused;

6.6.4.4. professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or

6.6.4.5. signs of abuse lead to a belief that the child has been physically or sexually abused.

## **\*\*7. Voluntary Reporters\*\***

6.7.1. In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, may disclose that information to the Police or DHHS.

## **6.8. Reporting Child Sexual Abuse**

6.8.1. If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of 3 years' imprisonment.

## **6.9. JUNGLE CATS Approach to Reports of Abuse**

6.9.1. JUNGLE CATS supports and encourages a person to make a report to the Police or DHHS if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.

6.9.2. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by JUNGLE CATS and will not be penalised by JUNGLE CATS for making the report.

6.9.3. If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the JUNGLE CATS Managing Director for guidance and information. If in doubt, ask for assistance.

6.9.4. If an allegation is made against a member of staff or volunteer, JUNGLE CATS will follow the reporting procedure outlined in (JUNGLE CATS-Child Safety Policy) and take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation, working from home, or any other measures deemed appropriate depending on the seriousness of the allegation.

6.9.5. JUNGLE CATS will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.

6.9.6. JUNGLE CATS will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.

6.9.7. JUNGLE CATS will keep a register of any allegations regarding inappropriate conduct.

## **\*\*7. ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN\*\***

7.1. Personnel involved in protecting children include the board, management, staff and volunteers within JUNGLE CATS. Those people have responsibilities in relation to protection of children and are expected to:

- 7.1.1. understand the rights of children as appropriate to their role;
- 7.1.2. respect the cultural and religious practices of families who access JUNGLE CATS's services, programs or events;
- 7.1.3. understand and appropriately respond to the needs of children with developmental delays or disabilities;
- 7.1.4. appropriately act on any concerns raised by children;
- 7.1.5. understand the definitions, indicators and impact of child abuse;
- 7.1.6. know and follow regulations in relation to the care of children;
- 7.1.7. co-operate with Police and/or other formal investigations to the best of their ability;
- 7.1.8. not harm or exploit children who access JUNGLE CATS's services.

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## **\*\*8. CHILD SAFE AND CHILD-FRIENDLY GUIDELINES\*\***

### **8.1. Change Rooms**

8.1.1. Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Before entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.2. Hotel rooms and other accommodation**

8.2.1. No official should be alone in the room of an athlete without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of an athlete, the Team Manager or other responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.3. Travel - General**

8.3.1. All team members over 18 years of age retain an overriding responsibility for the welfare of all athletes they accompany during team travel activities. They have a 'duty of care' for athletes and they must meet that duty and avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

8.3.2. JUNGLE CATS will not require or allow Staff Members under the age of 18 to travel for the purpose of running Events.

### **8.4. Sexual Relationships while on tour.**

8.4.1. During all team travel activities official's must not, under any circumstances engage in conduct of a sexual nature with an athlete. Improper conduct of a sexual nature by an official towards an athlete includes any form of child sexual abuse (defined within the JUNGLE CATS Member Protection Policy) as well as but not limited to the following:

8.4.1.1. inappropriate conversations of a sexual nature;

8.4.1.2. obscene language of a sexual nature;

8.4.1.3. suggestive remarks or actions;

8.4.1.4. jokes of a sexual nature;

8.4.1.5. obscene gestures;

8.4.1.6. unwarranted and inappropriate touching;

8.4.1.7. sexual exhibitionism;

8.4.1.8. use of any device to show/watch offensive material; and

8.4.1.9. any other action that could lead to an athlete being physically, emotionally or psychologically harmed.

### **8.5. Adults under investigation**

8.5.1. Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to jeopardise their Working with Children Check (WWCC) (or if based in another State the equivalent requirement) must notify JUNGLE CATS immediately of their change in status and will be prohibited by JUNGLE CATS Management, from participating in all JUNGLE CATS activities.

## **8.6. Coach Assistance**

8.6.1. All coaches must ensure that all physical contact with athletes which occurs when coaching is appropriate for the situation and necessary for the athlete's safety. It is strongly recommended that:

8.6.1.1. coaches ensure that there are other adults present whenever coaching;

8.6.1.2. coaches take care to explain the procedure to the child prior to beginning any physical contact;

8.6.1.3. coaches obtain consent from the athlete prior to beginning any physical contact.

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## **\*\*9. ENGAGING NEW PERSONNEL\*\***

9.1. The minimum standard for background checks of employees and volunteers of JUNGLE CATS and its members is the law as it applies in Victoria.

9.2. JUNGLE CATS undertakes a comprehensive recruitment and screening process for all staff and volunteers which aims to:

9.2.1. promote and protect the safety of all children who participate in the activities of JUNGLE CATS;

9.2.2. identify and recruit the safest and most suitable candidates who share JUNGLE CATS's values and commitment to protect children; and

9.2.3. prevent a person from working at JUNGLE CATS if they pose an unacceptable risk to children.

9.3. JUNGLE CATS requires staff and volunteers to pass the recruitment and screening process prior to commencing their engagement with JUNGLE CATS.

9.4. As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g. WWCC or other state equivalent and/or Police check) to show that they are suitable to work with children and young people in a recreational setting.

9.4.1. all JUNGLE CATS staff require a WWCC; and

9.4.2. the following key event personnel must have a valid WWCC:

9.4.2.1. those paid by JUNGLE CATS for their services (excluding bump in and bump out);



9.4.2.2. volunteers;

9.4.2.3. relevant contractors who may have unsupervised access to children; and

9.4.2.4. anyone else who JUNGLE CATS staff feel requires a WWCC due to the nature of the work that they are undertaking for JUNGLE CATS.

9.5. The type of evidence that an applicant is required to provide to JUNGLE CATS will vary depending on the type of position that they are applying for. However, an applicant will not be offered a position until they provide the required evidence to JUNGLE CATS.

9.6. JUNGLE CATS will exercise discretion and may require applicants to provide a Police check in accordance with the law and as appropriate before they commence their engagement and during their time with JUNGLE CATS in regular intervals.

9.7. JUNGLE CATS will undertake thorough reference checks prior to engaging any personnel.

9.8. Once engaged, JUNGLE CATS will provide staff and volunteers with access to this policy and staff and volunteers must review and acknowledge their understanding of this policy.

9.9. JUNGLE CATS requires that affiliated clubs ensure all staff and volunteers (including coaches and any officials) likely to have contact with athletes (and other children) have a current WWCC, which needs to be signed off annually as part of the affiliation process. Clubs which do not comply with their legal obligations will be found to have not complied with the JUNGLE CATS affiliation requirements and will be disaffiliated.

9.10 JUNGLE CATS requires all affiliated club personnel including owners, Committee Members, Volunteers, Coaches, Judges and anyone else who has contact with children to possess a valid working with children check. Any costs associated with gaining a valid WWCC will be dealt with in a manner determined by that club.

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## **\*\*10. RISK MANAGEMENT APPROACH\*\***

10.1 Child safety is integrated into Jungle Cats's overall risk management.

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## **\*\*11. POLICY BREACHES\*\***

11.1 It is a breach of this policy for any person to which this policy applies, to have been found to have done anything contrary to this policy. Any person who may breach this policy is subject to instant dismissal.

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**\*\*12. POLICY PROMOTION\*\***

12.1 The policy will be available to all Jungle Cats members and communicated to staff and volunteers.

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**\*\*13. REVIEW PROCESS\*\***

13.1 The policy will be reviewed annually by Jungle Cats Management.

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**\*\*Feedback or suggestions can be directed to Amanda Eastwood, Managing Director.\*\***

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