



# **South Caulfield Cricket Club**

## **Member Protection Policy**



# Contents

1. Introduction .....	4
2. Purpose of Our Policy .....	4
3. Who Our Policy Applies To .....	4
4. Extent of Our Policy .....	4
5. Club Responsibilities .....	5
6. Individual Responsibilities .....	5
7. Protection of Children .....	6
a. Child Protection .....	6
b. Identifying and Analysing Risks of Harm .....	6
c. Developing Codes of Conduct for Adults and Children .....	6
d. Choosing Suitable Employees and Volunteers .....	6
e. Support, Train, Supervise and Enhance Performance .....	7
f. Empower and Promote the Participation of Children in Decision-Making and Service Development .....	7
g. Report and Respond Appropriately to Suspected Abuse and Neglect .....	7
h. Supervision .....	7
i. Transportation .....	8
j. Taking Images of Children .....	8
8. Discrimination, Harassment and Bullying .....	8
a. Discrimination .....	8
b. Harassment .....	9
c. Bullying .....	10
9. Inclusive practices .....	11
a. People with a disability .....	11

b. People from diverse cultures .....	11
c. Sexual & gender identity .....	11
10. Responding to Complaints .....	11
a. Complaints .....	11
b. Complaint Handling Process.....	12
c. Disciplinary Sanctions .....	13
d. Appeals .....	13
11. Education .....	14
12. Review .....	14
Appendix - Working with Children Check Requirements .....	15
References .....	15

## 1. Introduction

South Caulfield Cricket Club (SCCC) aims to provide opportunities for people of all ages and ability levels within our community to participate and progress in the game of cricket in a healthy, safe, and friendly environment.

## 2. Purpose of Our Policy

The main objective of the SCCC Member Protection Policy (“policy”) is to maintain responsible behaviour and the making of informed decisions by members and other participants in this Club.

This policy outlines our commitment to a person’s right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse.

Our policy informs everyone involved in our Club of their legal and ethical rights and responsibilities and the standards of behaviour that are expected of them. It also covers the care and protection of children participating in our Club’s activities.

## 3. Who Our Policy Applies To

This policy applies to everyone involved in the activities of our Club whether they are in a paid or unpaid/voluntary capacity and includes:

- Club committee members, administrators and other Club officials;
- coaches and assistant coaches and other personnel participating in events and activities and training sessions;
- umpires and other officials;
- players;
- members, including social and life members;
- parents;
- volunteers; and
- spectators

## 4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to the South Caulfield Cricket Club and our activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at training sessions, in our facilities, at social events organised or sanctioned by the Club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our Club or sport into disrepute or there is suspicion of harm towards a child or young person.

## 5. Club Responsibilities

We will:

- adopt, implement and comply with this policy;
- appoint a Member Protection Officer (MPO) and undertake online training delivered by “Play by the Rules”;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- review this policy annually; and
- seek advice from and refer serious issues to our associations, Cricket Victoria, and Cricket Australia.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our State or Territory Cricket Association and Cricket Australia request to be referred to them.

## 6. Individual Responsibilities

Everyone associated with our Club must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or territory Working with Children checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;

- consent to the screening requirements set out in this policy, and any state or territory Working with Children checks or National Police Checks as requested from time to time by the Club, recognising that such request may not be required by law (such as parents of members and umpires);
- treat other people 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, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

## **7. Protection of Children**

### **a. Child Protection**

The South Caulfield Cricket Club is committed to the safety and wellbeing of children and young people who participate in our Club's activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

The South Caulfield Cricket Club acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

### **b. Identifying and Analysing Risks of Harm**

The South Caulfield Cricket Club will monitor existing child protection practices to determine how child-safe our organisation is and identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person.

### **c. Developing Codes of Conduct for Adults and Children**

The South Caulfield Cricket Club has a code of conduct that specifies standards of conduct and care we expect of adults when they deal and interact with children, particularly those in our care, and to promote appropriate behaviour between children. The codes clearly describe professional boundaries, ethical behaviour and unacceptable behaviour.

### **d. Choosing Suitable Employees and Volunteers**

The South Caulfield Cricket Club will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children,

especially those in positions that involve regular unsupervised contact with children. This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The South Caulfield Cricket Club will ensure that Working with Children checks are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, the South Caulfield Cricket Club will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

#### **e. Support, Train, Supervise and Enhance Performance**

The South Caulfield Cricket Club will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our Club.

#### **f. Empower and Promote the Participation of Children In Decision-Making And Service Development**

The South Caulfield Cricket Club will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our Club.

#### **g. Report and Respond Appropriately to Suspected Abuse and Neglect**

The South Caulfield Cricket Club will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has been, or is being, abused or neglected.

In addition to any legal obligations, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child or is in breach of this policy they may make an internal complaint.

Please refer to our complaints procedure in section 10 of this policy.

Any person who believes a child is in immediate danger or in a life-threatening situation, should contact the police immediately.

#### **h. Children must be supervised at all times by a responsible adult**

We endeavour to provide an appropriate level of supervision at all times. If a member finds a child unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any Club activity, they will ask another member to stay until the child is collected.

#### **i. Transportation**

Parents and or guardians are responsible for organising the transportation of their children to and from Club activities (e.g. training and games). Where we make arrangements for the transportation of children (e.g. for away matches or overnight trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and the appropriate safety measures are in place (e.g. fitted working seatbelts).

#### **j. Taking Images of Children**

We will only use images of children that are relevant to our Club's activities and in a manner that promotes our Club. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our Club.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent or guardian. We will not provide information about a child's hobbies, interests, school.

## **8. Discrimination, Harassment and Bullying**

Our Club is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against, harassed or bullied.

#### **a. Discrimination**

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- a) Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- b) Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.



For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

## **b. Harassment**

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of the personal characteristics that apply throughout Australia:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs or activities;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;

- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- victimisation resulting from a complaint.

### **c. Bullying**

The South Caulfield Cricket Club is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our Club.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- a) verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- b) excluding or isolating a group or person;
- c) spreading malicious rumours; or
- d) psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. Technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate

comments. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint (refer to Item 10 of this policy).

## **9. Inclusive practices**

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

The following are examples of some of our inclusive practices:

### **a. People with a disability**

The South Caulfield Cricket Club will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

### **b. People from diverse cultures**

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

### **c. Sexual & gender identity**

All people, regardless of their sexuality or gender identity, are welcome at our Club. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

## **10. Responding to Complaints**

### **a. Complaints**

Our Club takes all complaints about on and off-field behaviour seriously.

Our Club will handle complaints under this policy, based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and

- any penalties imposed will be reasonable.

More serious complaints may be escalated by the MPO to the relevant cricket Association, Cricket Victoria or Cricket Australia. If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our Club may need to report the behaviour to the police and/or relevant government authority.

## **b. Complaint Handling Process**

When a complaint is received by our Club, the person receiving the complaint (e.g. President, MPO) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask what the complainant how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, 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. State Department of Sport or anti-discrimination agency);
- referring the complaint to the relevant cricket Association at first instance or to Cricket Victoria if the matter is a serious or criminal complaint; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a serious or criminal complaint is referred to Cricket Victoria and an investigation is conducted, the Club will:

- co-operate fully with the investigation;

- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on our State or Territory Cricket Association's recommendations.

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the antidiscrimination commission or other external agency.

Complaints of a criminal nature will be reported to police immediately.

### **c. Disciplinary Sanctions**

Our Club may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- be applied consistent with any contractual and employment rules and requirements;
- be fair and reasonable;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined by our constituent documents, by Laws and the rules of the game.

Possible sanctions that may be taken include:

- a direction that the individual make verbal and/or written apology;
- a direction that the individual undertake and complete a course (such as those offered by Play by the Rules);
- counselling of the individual 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;
- any other form of discipline that our Club considers reasonable and appropriate.

### **d. Appeals**

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by

our Club) to our State or Territory Cricket Association. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

## **11. Education**

The club will provide continue to maintain awareness of the policy via club social media feeds.

## **12. Review**

The Member Protection Policy will be reviewed annually to ensure that the policy remains current and practical to the club's goals, objectives and requirements.

## Appendix - Working with Children Check Requirements

Working with Children checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- a) criminal history checks;
- b) signed declarations;
- c) referee checks; and
- d) other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children check requirements vary across Australia. Fact Sheets for each state and territory are available on the Play by the Rules website: [www.playbytherules.net](http://www.playbytherules.net)

Detailed information, including the forms required to complete a Working with Children check, are available from:

The Department of Justice

Website: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

Phone: 1300 652 879

## References

The *SCCC Code of Conduct* applies in conjunction with this policy.