

Dragon Boats NSW Inc.

(Incorporated under the Associations Incorporation Act, 2009)
(Registered Number: Y2086230)
(ABN 31 936 733 882)



Child Protection Policy

1. Overview

1.1 What is a Child Safe Sporting Organisation?

Dragon Boats NSW (DBNSW) has young members under the age of 18 years. As such, it is critical that DBNSW, its affiliated clubs and individual members provide a safe environment for those children wishing to participate in Dragon Boat Racing. DBNSW has developed a number of policies and procedures to assist in providing this safe environment. These policies and procedures are compatible with the Australian Dragon Boat Federation's Member Protection Policy and the applicable laws within New South Wales.

It is vital that Dragon Boat Clubs understand the need for a safe environment for children, which not only reduces the risk to our sport but also encourages parents to allow their children to participate in Dragon Boat Racing. Our Clubs are encouraged to use all available resources including Working with Children Checks (WWCC) to meet their obligations.

While WWCC are an important part of the approach to child safety, such checks only identify "known" offenders, therefore, Clubs should always be vigilant in reviewing risks; updating policies; appointing a Member Protection Information Officer (MPIO); communicating with its members; and acting quickly if incidents occur.

1.2 The New South Wales Working With Children Check

The Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013 are important pieces of legislation to better protect our children. These pieces of legislation supercede previous regulations. This means that it is now mandatory for anyone in child-related roles whether such roles are voluntary or paid to hold a WWCC.

The WWCC is now managed by the Office of the Children's Guardian (OCG) and involves a national criminal history check and review of findings of workplace misconduct. The result of a WWCC is either a clearance to work with children for five years or a bar against working with

children. Applicants receiving a clearance are still subject to on-going monitoring and new records can lead to the clearance being revoked.

With this new legislation, a phase-in period for child related industries was developed. From April 2016 all sporting organisations must comply with Child Protection legislation. DBNSW and its Clubs are obligated to ensure all personnel working in a child-related role have a WWCC. This should be completed in the 2015-2016 year.

2. Child Protection Responsibilities

2.1 Affiliated Dragon Boat Clubs

All affiliated Dragon Boat Clubs have a responsibility to be Child Safe Organisations. Clubs do this by having appropriate policies, education, personnel and communication in place.

2.1.1 Policies

Clubs should:

- Be familiar with this Policy and the DBNSW Member Protection Policy and Privacy Policy;
- Appoint a MPIO to help manage child safety and ensure he/she has the appropriate training;
- Identify risks and take steps to reduce them;
- Communicate with their members regarding child safety policies and procedures;
- Educate other key members, such as committee members, in order that child safety and member protection regulations are understood by a broad group within the Club; and,
- Encourage children to participate in club activities since if children's participation is not valued, they may be reluctant to speak up if an incident arises.

2.1.2 Legal Requirements

Clubs must ensure that all Club members working in a paid or volunteer role in child-related activities get a WWCC. There are exemptions, which can be found in section 3.1. Clubs must verify the WWCC. In verifying the WWCC, the Club is obliged to act in accordance with Section 4 of this Policy.

2.1.3 Managing Allegations

All child abuse allegations should be dealt with quickly and sensitively by the MPIO. Clubs will be in a better position to do this if they have the policies and personnel in place and if the personnel are trained and familiar with this Policy and the DBNSW Member Protection Policy.

There may be a time when a Club or one of its members comes across a child, who has disclosed their abuse to them. The abuse may be within or outside the Club. If anyone has concerns that the child is at significant risk, they can call the Child Protection Helpline on 132 111 to register their concerns.

3. NSW Working with Children Check Requirements

3.1 Who needs a Working with Children Check?

Under Part 2/Section 6 of the Child Protection (Working with Children) Act 2012, child-related work is defined as a specific child-related activity where the person has face-to-face contact with children. Some Dragon Boat examples would be

- a Sweep or Drummer over the age of 18 years competing in a crew, in which there are children;
- coaching or managing crews, in which there are children;
- coaching or managing junior teams (All Under 18 years); and,
- paddlers over 18 years paddling with children.

3.2 Who is Exempt from Working with Children Checks?

The Act provides exemptions from WWCC. In the Dragon Boat context, such exemptions are –

- children under the age of 18 years;
- club members who have no contact with children within the club;
- visiting personnel such as a sports scientist who works with a crew for a training session;
- parents of crew members acting as coach or manager of the crew;
- teachers attached to schools affiliated to DBNSW;
- registered paddlers from another Club competing in a one-off race or regatta; and,
- race officials, whose work at regattas does not involve extended periods of contact with children without other adults present.

3.3 Parent Volunteers

The legislation allows parents to volunteer in activities involving their own children without getting a WWCC. This is not a blanket exemption. There are only two exemptions for parent volunteers. The exemption directly related to Clubs states - "Volunteering by a parent or close relative with a team, program or other activity in which the child usually participates or is a team member." Close relatives are listed as:

- spouse or de facto partner of the child;
- child, step-child, sibling, step-sibling, parent, step-parent, grandparent, step-grandparent, aunt, uncle, niece, nephew of the person; and,
- in the case of Aboriginal or Torres Strait Islanders, persons who are part of the extended family or kin of the person according to the kinship system of the person's culture.

Note – Despite these exemptions within the Act, DBNSW recommends that all people working with children seek a WWCC. This provides a level of comfort and confidence in the person for both the Club and the parents of the children. The Working with Children Check process is summarised in **Attachment 1**.

4. Changes in Status

Despite a WWCC being valid for 5 years, Cleared applicants will still be the subject of on-going monitoring. If a Cleared applicant's record changes during that period, the OCG will contact the Club advising that the employee or volunteer has become Barred or has an Interim Bar. On such occasions, that person must be immediately removed from child-related activities. Club may –

- Dismiss the paid employee;
- Suspend them from child-related activities pending any appeal;
- Move them to Club activities not involving children.

5. Member Protection Policy

DBNSW has revised and modified its Member Protection Policy (MPP). This Children Protection Policy (CPP) should be considered an integral component of member protection. Clubs must be familiar with the new MPP and the CPP. The MPP requires individual members to complete a Member Protection Declaration Form, which is labelled **Form B**. The Member Protection Declaration Form incorporates the former DBNSW Code of Conduct Form. The Code of Conduct is still current and can be found on the DBNSW website. By signing the Member Protection Declaration Form, each Member agrees to abide by and bound by the MMP, the CPP and the Code of Conduct.

As with the WWCC's, the Club must keep the Member Protection Declaration Forms securely away from the Club's headquarters and training base.

6. Notes

1. The Club should ensure the MPIO has an ample supply of **Form A**.
2. All completed **Form A's** should be kept by the MPIO in a secure place away from the Club's headquarters to a secure location.
3. If Club's change MPIO's, the Club must ensure the file of completed **Form A's** is transferred to the next person holding the position of MPIO.
4. If the member receives a "Barred" or "Interim Barred" result, the Club must ensure the member immediately ceases all contact with the children within the Club.
5. WWCC's for volunteers within the Club are free.
6. If the Club provides a coach, manager or some other person with any type of payment in cash or kind, that person, under the Act, is considered a "paid" person and so an \$80 fee is due.
7. All WWCC's last for 5 years but this can be terminated if a Barred or Interim Barred finding is subsequently issued.

Attachment 1 - Working With Children Check Process

a) Process for Individual Members

The WWCC process is web based and so it can be done on any computer with an internet connection. To get a WWCC, go to the website www.kidsguardian.nsw.gov.au and click on the "Working with Children Check" button at the bottom of the front page. This will take you to the "Working with Children Check" page, which has comprehensive information about the WWCC process.

When you are ready to submit an application, you click on the "Working with Children Check" button (Blue) at the right hand side of the page. The applicant then clicks on the green "Apply for Your Check" button and follow the instructions. Upon submission of the application, you will receive an Application Number. You must take this Application Number and proof of identity (passport, driver's licence etc) to Motor Registry, Government Access Centre or Service NSW Office. This process is to only confirm the applicant's identity.

b) Next Step for Individual Members

Once the member has had their identity verified at one of the government agencies, the member should provide the Application Number to the applicable officer within their Club. This may or may not be the MPIO.

c) Process for Clubs

Clubs need to register as an "employer" with the Office of Children's Guardian. This can be done by going to www.kidsguardian.nsw.gov.au . This will take you to the "Working with Children Check" page then click on the "Working with Children Check" button (Blue) at the right hand side of the page. The applicant then clicks on the blue "Employer Register" button and follow the instructions. There is an on-line tutorial for Clubs to go through the steps involved. Clubs now have two important tasks. Firstly, Clubs must identify those individual members, whom the Club believes need a WWCC. This information should be conveyed to the member. If the member already has a WWCC, he/she should complete **Form A** and this should be provided to the relevant Club official. Secondly, the Club must now verify the member has a clear WWCC.

The member will be verified as:

- **Cleared** means the person may begin working with children; or,
- **Application in Progress** means the person may begin working with children; or,
- **Barred** means the person cannot under any circumstance work with children; or,

- **Interim Barred** means the person cannot under any circumstance work with children.

The member will be notified by the OCG. The OCG will also contact the Club to advise and discuss the next steps for the Club and the member.

DRAGON BOATS NEW SOUTH WALES INC
Working with Children Check
Form A

Name of Club			
Individual Member's Details			
Name			
Date of Birth			
Place of Birth			
Address			
Mobile Telephone			
Address			
Email			
WWCC Number			
Member's Signature			
Club Use Only			
Date Received			
Date Verified			
WWCC Status			
Work Status (Tick One Only)	Paid	<input type="checkbox"/>	Volunteer
WWCC Expiry Date			
Name of Verifier			
Signature of Verifier			

Note –

The designated club officer verifying this WWC should file this form in a secure place away from the Club's headquarters or training base.

DRAGON BOATS NEW SOUTH WALES INC
Member Protection Declaration
Form B

Name of Club				
Our Club has duty of care to all associated with our organisation and Dragon Boat Racing. It is a requirement of the Dragon Boats NSW Member Protection Policy that we check the background of each person who participates in child-based activities within our Club.				
Individual Member's Details				
Name				
Date of Birth				
Address				
<p>Declaration – I declare as member of the stated Dragon Boat Club that –</p> <ul style="list-style-type: none"> - I am aware of my obligations under the DBNSW Member Protection Policy; - I agree to adhere to the Code of Conduct applicable to my involvement in DBNSW activities; - I do not have any criminal charges pending against me; - I am willing to undergo a NSW Government Working With Children Check; - I do not have any criminal convictions or findings of guilt for sexual offences, child-related sexual offences or acts of violence; - I have not had any disciplinary proceedings brought against me by an employer, sporting body, or similar organisation for child abuse, sexual misconduct or harassment or other form of harassment or acts of violence; - I am not serving a current ban for any doping violation under the AusDBF ASADA approved Anti-Doping Policy; - I will not participate in, encourage or facilitate any practice banned by WADA or ASADA; - I am familiar with the DBNSW Code of Conduct and I agree to be bound by it; - To my knowledge there is no matter which DBNSW or my Club could consider as constituting a risk to its members, volunteers, employees or paddlers. - I agree to inform the appropriate Club personnel immediately if there is any change to the items listed above. 				
Signed			Date	
Parent/Guardian Consent (only if Members under 18 years old)	I have read and understood the declaration provided by my child/ward. I confirm and warrant that the contents of the declaration as provided are true and correct.			
	Name	Signature		Date
Club Use Only				
Identification Mode (Tick as Appropriate)	Passport	Driver's Licence	Proof of Age	Other Photo ID
Date Verified				
Name of Verifier				
Signature of Verifier				