



Hornsby Ku-ring-gai Basketball Association



HORNSBY KU-RING-GAI BASKETBALL ASSOCIATION (HKBA)

MEMBER PROTECTION POLICY

VERSION_2, June 2018

IMPORTANT NOTE:

For this policy and other policies to be binding on clubs, their members and other relevant persons, they must be:

- formally incorporated or adopted into a club's constituent documents (being the Memorandum and Articles of Association; Constitution of a company; or the rules of an incorporated association) or the rules, regulations or by-Laws made under the constituent documents;
- be agreed to as part of a membership application, agreement, form, other contract with the Club, which relevant members and other persons intended to come within the scope of this policy are required to sign.

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HKBA MEMBER PROTECTION POLICY

1. Introduction

The Hornsby Ku-ring-gai Basketball Association's ("HKBA") objectives are to conduct, encourage, promote, advance and administer basketball or associated activities throughout the local area. At all times these activities will be conducted on behalf of and in the interest of Members.

2. Purpose of Our Policy

The main objective of the HKBA Member Protection Policy ("policy") is to maintain responsible behaviour and the making of informed decisions by members and other participants in the HKBA. It 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 the HKBA of his or her 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 the HKBA's activities.

3. Who Our Policy Applies To

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

- HKBA committee members, administrators and other officials;
- coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- referees, umpires, court supervisors and other officials;
- players;
- members, including any life members;
- parents;
- spectators;

4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to the HKBA and its activities, including: unfair selection decisions and actions; breaches of our codes of behaviour (including via all forms of social media); behaviour that occurs at training sessions, in the HKBA meeting rooms, at social events organised or sanctioned by the HKBA, and on away and overnight trips. It also covers private behaviour where that behaviour brings the HKBA or Basketball into disrepute or there is suspicion of harm towards a child or young person.

5. HKBA Responsibilities

We will:

- adopt, implement and comply with this policy;
- 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 every 12-18 months; and
- seek advice from and refer serious issues to Basketball NSW (governing body).

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 national bodies 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, including the NSW 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. Refer Attachment 1.
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and
- 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

7.1 Child Protection

The HKBA is committed to the safety and wellbeing of children and young people who participate in our associations' 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 acknowledge the valuable contribution they make. We encourage their active participation in building and maintaining a safe, fair and inclusive environment for all participants.

7.1.1: Identifying and Analysing Risks of Harm

The HKBA will develop and implement a risk management strategy, which includes a review of our existing child protection practices, to determine how child-safe our organisation is and to 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.

7.1.2: Developing Codes of Conduct for Adults and Children

We will develop and promote 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. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour.

As an interim measure, HKBA have adopted NSW Basketball's codes of conduct for Players; Coaches, Officials and Support Staff; and Spectators (See Attachment 2).

Note: Codes of Behaviour are generally not binding on non-Members such as parent/guardians and spectators. It may therefore be difficult to discipline a parent/guardian or spectator under this policy for a breach of a Code of Behaviour.

7.1.3: Choosing Suitable Employees and Volunteers

HKBA will take 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 HKBA will ensure that the Working with Children Checks are conducted for employees and volunteers working with children, as required by law.

7.1.4: Support, Train, Supervise and Enhance Performance

The HKBA 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.

7.1.5: Empower and Promote the Participation of Children In Decision-Making And Service Development

The HKBA will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our club.

7.1.6: Report and Respond Appropriately to Suspected Abuse and Neglect

The HKBA 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 (See Attachment 4).

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.

7.2 Supervision

Children under the age of 18 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 under the age of 18 is 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.

7.3 Transportation

Parents and or guardians are responsible for organising the transportation of their children to and from HKBA 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)].

7.4 Taking Images of Children

Images of children can be used inappropriately or illegally. 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 or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our club's activities and we will ensure that they are suitably clothed in a manner that promotes our club. We will seek permission from a child's parent or guardian before using their images.

8. Discrimination, Harassment and Bullying

The HKBA 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.

8.1 Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of their race, sex, age, disability, intersex status, gender identity and sexual orientation, or some other characteristic specified under anti-discrimination or human rights legislation.

Discrimination includes both direct and indirect discrimination:

- **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **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.

8.2 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 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 all 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.

8.3 Bullying

The HKBA 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:

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

Bullying includes cyber-bullying which occurs through the use of technology. New 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. HKBA 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

The HKBA 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.

9.1 People with a disability

The HKBA 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.

9.2 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).

9.3 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.

9.4 Pregnancy

The HKBA is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our club's activities. We will not tolerate any discrimination or harassment against pregnant women.

We will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their

participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with the HKBA. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (see section 10).

9.5 Girls playing in boys teams

If there is not a separate sex competition the HKBA will support girls playing in boys teams up until the age of 12 years.

We note that Federal anti-discrimination laws provide that it is not unlawful to discriminate on grounds of sex by excluding persons from participation in any competitive sporting activity in which the strength, stamina or physique of competitors is relevant.

If a child is over the age of 12 years our club will consider each request on an individual basis by considering the nature of our sport and other available opportunities to compete.

10. Responding to Complaints

10.1 Complaints

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person who has had the complaint made against them (defendant/respondent) 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 will be escalated to our state governing body, NSW Basketball.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then the HKBA will report the behaviour to the police and/or relevant government authority.

10.2 Complaint Handling Process

When a complaint is received by the HKBA, the person receiving the complaint (generally the Member Protection Information Officer) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask the complainant how they would like their concern to be resolved and if they need any support;
- Complete a Record of Complaint – see Attachment 4.1
- 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 state and/or national governing body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- referring the complaint to our state governing body, NSW Basketball Association; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to our state governing body 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 governing body'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 anti-discrimination commission or other external agency.

10.3 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;
- 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 the HKBA;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that the HKBA considers reasonable and appropriate.

10.4 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 the HKBA) to *our state governing body*. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

[Note: It is considered good practice to have a process to appeal against a decision made in respect of a complaint. However, the grounds of an appeal should be specific, for example they may be limited to a denial of procedural fairness, on grounds of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club. The jurisdiction of the appeal body will need to be outlined in relevant constituent documents, rules, regulations or by-laws which are binding on the complainant and respondent.]

11.Risk Management

HKBA Member protection policy and codes of behaviour have been developed to ensure child safety and harassment free environments and to help reduce the risk for things to go wrong.

Refer to HKBA Risk Management Policy for full Policy details

Evaluation of Risk

The Likelihood of an occurrence happening and the impact of the occurrence are combined to produce the level of risk as detailed in the matrix below.

Likelihood	Impact				
	Negligible	Low	Medium	Very High	Extreme
Almost Certain	High	High	Extreme	Extreme	Extreme
Likely	Medium	High	High	Extreme	Extreme
Possible	Low	Medium	Medium	Extreme	Extreme
Unlikely	Low	Low	Medium	High	Extreme
Rare	Low	Low	Medium	High	High

Treatment of Risk

The result of the analysis (above) will determine the treatment/intervention mitigation required for each category of risk

Extreme- Detailed research, planning and management required at a senior level. Immediate action required.

High- Urgent Senior management attention is required and management responsibilities specified.

Medium- Managed by specific monitoring or response procedures

Low- Managed by routine procedures, unlikely to need specific application of resources.

Attachment 1: WORKING WITH CHILDREN CHECKS (NSW)

In NSW a person who is in a paid position or who volunteers in child-related work is required by law to have a Working With Children Check (WWCC). In NSW the WWCC is a WWC number and involves a national police check and review of workplace misconduct involving children. The result is either a clearance to work with children for five years, or a bar. A barred person cannot work with children.

For the purposes of the WWCC the club or association is considered the 'employer', even where the club is made up of only volunteers, and as an employer the club has certain responsibilities to the WWCC. You and your association can determine if the check should be administered at club or association level.

Importantly, the club or association must register as an employer on the NSW Office of the Children's Guardian website. The purpose of registration is to verify the workers WWC numbers. Verifying a person's number online does two things, firstly, it informs the club the person is cleared to work with children. Secondly, it ensures that the club will be notified if a person's WWC number is cancelled because they become a barred person.

Ensuring the working with children check is administered correctly is a small part of what you can do to keep kids in your club safe. Find out more about creating Child Safe Organisations at [Office of the Children's Guardian](#)

WHO NEEDS A WORKING WITH CHILDREN CHECK?

Only people in child-related work need to apply for a WWCC. This means those people at the club who have direct face-to-face contact with children ([use this form to help you](#)).

[Refer to](#) the *Child Protection (Working With Children) Act 2012* and the *Child Protection (Working With Children) Regulation 2013*. Or visit our [webpage](#) dedicated to kids in sport.

WHO DOES NOT NEED A WORKING WITH CHILDREN CHECK

There are a number of exemptions to the requirement to obtain a Working With Children Check, particularly for people who volunteer in sport.

The parent or close relative exemption is the one most clubs will refer to. This exemption means, a parent or other close relative whose child(ren) participates in a an activity for which they volunteer, is not required to hold a WWCC.

Work as a referee, umpire, linesperson or otherwise as a sporting official or a groundsperson, *if the work does not ordinarily involve contact with children for extended periods without other adults being present*, is not child related work.

For coaches travelling from interstate (for less than 30 days) or for a short, one off, event (less than 5 days) there are a number of exemptions from the requirement to hold a clearance.

There are also exemptions for those who help around the club but do not have direct face-to-face contact with children, such as canteen staff or maintenance workers.

For more information about [exemptions](#) – press ctrl & click on the link.

ADMINISTERING THE WWCC (EMPLOYER RESPONSIBILITIES)

Step 1. Register your organisation with the Working With Children Check [database](#).

Step 2. Identify two (senior) people as suitable contacts (best practice would be to include your associations MPIO as one of the contacts)

Step 3. Identify the roles and individuals (applying exemptions) who require a WWCC ([use this form to help you](#))

Step 4. Verify online, the WWC number (and/or APP number) of every child-related worker. DO NOT rely on a notification or email from a worker.

Step 5. Develop a policy and procedure for administering the WWCC including how to manage notifications from the OCG that a person is barred.

Step 6. Maintain records relating to the WWCC.

The employer has a legal obligation to verify the WWC number online. Failing to verify the APP number may mean the club is not notified if a person becomes a barred person, this is because a person who has a disqualifying offence or who is disqualified as a result of a risk assessment will not receive a WWC number. Offences exist for employers who fail to verify a WWC number.

WHEN TO VERIFY

You should verify the persons WWCC number before they begin child-related work. You do not need to re-verify each year if the person remains with the club but you do have to monitor the expiry date (A WWC number lasts five years). You also have to re-verify the worker when they have renewed their clearance.

You can verify as often as you like but you must maintain records relating to the verification, including records that indicate which workers are exempt. This is required in the event that you are audited by the Office of the Children's Guardian.

RESPONDING TO A BARRED NOTICE

Receiving a barred notification can be difficult for members at the club to action. Often the barred person is a member of the community or may even be a friend of the club. Clubs should refer to their association, peak body or Member Protection Information Officer (MPIO) for help with managing a barred notification.

A club cannot allow a barred person to continue in child-related work and the person must stop working in a child-related role immediately. Fines apply for employers who engage a barred (or interim barred) worker in child related work.

It is important to also recognise that the outcome of a WWCC is private information and should not be discussed in an open forum.

HOW TO APPLY FOR A WWCC (WORKER OR VOLUNTEER)

- Step 1. Complete the online application form at www.kidsguardian.nsw.gov.au/check
- Step 2. You will receive an application number (APP) by email. Take this APP number and proof of your identity to a NSW Service Centre. If you are in paid work, you will also need to pay a fee of \$80.
- Step 3. Give your APP number to your club or association (the employer) to verify the status of your clearance. If the outcome of the verification is 'cleared' or 'application in progress' you are allowed to begin working with children.
- Step 4. Once your application has been processed and you are cleared, you will receive a WWC number by email.
- Step 5. Give your WWC number to your club or association (the employer) to verify.

RESULTS OF A CHECK

There are only two final outcomes of a WWCC application – a clearance or a bar. If the outcome is a clearance, your WWC number will be valid for five years for any child-related work in NSW. If it is a volunteer-class, it may only be used for volunteer work.

All cleared applicants will be subject to ongoing monitoring for new offences and relevant new workplace records. Any new offences can lead to the clearance being cancelled.

A person who has records may be risk assessed. If this happens the person will be contacted and asked to submit information that will be considered when assessing a person's risk of harm to children. A person who proceeds to risk assessment may still receive a clearance. Alternatively, the person may be subject to an interim bar while further information is collected.

If a bar or interim bar is applied, the person will be notified in writing. If the club has verified the person's APP/WWC number the club will also be notified. While a bar (or interim bar) is in place it is an offence to engage a person in child-related work (paid or unpaid). The Office of the Children's Guardian may request that the NSW Police Force ensure a barred person has been removed from child-related work.

In most cases, the applicant can apply for a review of a barring decision to the NSW Civil and Administrative Tribunal (NCAT). For more information on the review process, refer to the [fact sheet](#) on bars and appeals.

FOR FURTHER INFORMATION, VISIT:

www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/Child-related-employers.

WHERE CAN I GET FURTHER INFORMATION ON CHILD SAFE ORGANISATION RESOURCES?

The Office of the Children's Guardian at www.kidsguardian.nsw.gov.au

Attachment 2: CODES OF BEHAVIOUR

Refer separate PDF documents in HKBA Member Protection area for the following:-

Players Code of Behaviour – Basketball NSW

Coaches, Officials and Support Staff, Code of Behaviour – Basketball NSW

Spectators Code of Behaviour – Basketball NSW

Zero Tolerance and Sports Rage Policy – Basketball NSW

Guidelines for interacting with Children – Play by the Rules

Attachment 3: DUTY STATEMENTS

TBA

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination</p> <p><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation</p> <p><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision</p> <p><input type="checkbox"/> Other</p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	

Attachment 4.2: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with children in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the General Manager/Complaints Handler of the HKBA so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

- The General Manager/Complaints Handler will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of HKBA.
- The General Manager/Complaints Handler will consider what services may be most appropriate to support the child and his or her parent/s.
- The General Manager/Complaints Handler will consider what support services may be appropriate for the alleged offender.
- The General Manager/Complaints Handler will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by Complaints Handler of HKBA).
- The Complaints Handler of HKBA will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in Clause 10 of our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.
- **Contact details for advice or to report an allegation of child abuse**

New South Wales

New South Wales Police
Non-urgent police assistance
Ph: 131 444
www.police.nsw.gov.au

Department of Family and Community Services
www.community.nsw.gov.au
Ph: 132 111

Government agency contacted	Who: When: Advice provided:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.