



NETBALL
NEW ZEALAND

Safe Netball for Children

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Netball New Zealand Safe Netball for Children Policy

July 2017

1. Policy Statement

Netball New Zealand (NNZ) is committed to safeguarding the welfare of all children participating in Netball. We recognise the responsibility to promote safe practices that protect children from harm and exploitation while participating in our activities.

Staff and volunteers will work together to embrace difference and diversity and respect the rights of children.

Policy Principles

- The welfare of children is the primary concern.
- Child protection is everyone's responsibility.
- All children, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm.
- Children have the right to express views on all matters which affect them, should they wish to do so.
- Our organisation will work in partnership with children and parents/carers to promote the welfare, health and development of children.

The aim of this policy is to promote good practice through

- Promoting the health and welfare of children by providing opportunities for them to take part in Netball safely.
- Respecting and promoting the rights, wishes and feelings of children.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and protect them from harm.
- Recruiting, training, supporting and supervising staff, members and volunteers to adopt best practice to safeguard and protect children from harm and to reduce the risk of allegations or complaints against themselves.
- Requiring children, staff, members and volunteers to adopt and abide by this Safe Netball for Children Policy and these procedures.
- Responding to any allegations of misconduct or harm to children in line with this Policy and these procedures, as well as implementing, where appropriate, the relevant investigative, disciplinary and appeals procedures.
- Regularly monitoring and evaluating the implementation of this Policy and these procedures.

For the purposes of this policy and associated procedures, a child is recognised as someone under the age of 18 years.

2. NNZ Harassment Free Regulations

The Safe Netball for Children Policy is governed by the rules and regulations of NNZ as specified in the Regulations of Netball New Zealand Incorporated – Harassment Free Netball Regulations.

Code of Conduct and Ethics

To protect the health, safety and well-being of all the people participating in the activities of NNZ and its members, NNZ has developed and issued a NNZ General Code of Conduct and Ethics. The NNZ General Code of Conduct and Ethics applies to all Members.

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealings with others.
3. Be professional in, and accept responsibility for your actions.
4. Make a commitment to providing quality service.
5. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age.
6. Be aware of, and maintain an uncompromising adherence to NNZ standards, rules regulations and policies.
7. Operate within the rules of netball including national and international guidelines which govern NNZ, the Zone and Netball Centres
8. Understand your responsibility if you breach, or are aware of any breaches of this Code of Conduct & Ethics.
9. Do not use your involvement with NNZ, a Zone or Netball Centre to promote your own beliefs, behaviours, interests or practices where these are inconsistent with those of NNZ, a Zone or a Netball Centre.
10. Wherever possible avoid unaccompanied and unobserved activities with persons under 18 years of age.
11. Refrain from any form of abuse towards others.
12. Refrain from any form of harassment towards, or discrimination of, others.
13. Provide a safe environment for the conduct of any netball or netball related activity.
14. Show concern and caution towards others who may be sick or injured.
15. Be a positive role model.

3. Safe Netball for Children– protocols

The following protocols are designed to ensure the utmost is done to provide a safe environment for children to play Netball. They provide guidance to those working with children by outlining good practice and establishing boundaries in a range of situations. The intention of these protocols is to reduce the likelihood of harm to a child as well as minimising the risk of an allegation or complaint being made.

Applying a child-centered approach where all children are treated equally and with dignity

- Activities should be appropriate for the age and development of the children in your care.
- Ensure feedback to children is about their performance and not of a personal nature.
- Use positive and age-appropriate language when talking to children and in their presence.

Creating a safe and open working environment that also reduces risk to staff and volunteers

- Exercise common sense.
- Ensure that children use appropriate protective gear and that all equipment and facilities comply with safety regulations.
- Do not send children off to train alone and out of sight and supervision.
- Ensure that any filming or photography of children is appropriate.
- Ensure that start and finish times are communicated to caregivers and adhered to so that children are not left unsupervised.
- Ensure that children are handed over to their caregiver, or other authorised person at the conclusion of activities.
- Explain the purpose and obtain consent (from parents/caregivers) prior to filming or photographing children.
- Obtain parent consent to publish photographs of children involved in all NNZ led programmes.
- Request parental consent before transporting children in a vehicle. Ensure that the vehicle is insured, has the appropriate child safety seats, and has a current Warrant of Fitness and registration.
- Except in an emergency where it is unsafe to delay, ensure you have parental consent to administer first aid if required.
- Do not use alcohol, cigarettes or electronic cigarettes in the presence of children and do not offer any of these to children under any circumstances.
- Do not engage in communication with a child, on a one-on-one basis, through social media, texting or email, other than for relevant coach/athlete feedback or administration.
- Ensure that all physical contact with children is relevant and appropriate to the activity.
- Do not engage in any intimate, over-familiar or sexual relationships with people under the age of 18 years.
- Do not engage in any bullying activity.
- Do not allow parents, coaches, other children, or spectators to engage in any type of bullying behavior (this includes cyber/text bullying)

Avoiding situations where you are alone with a child

- Avoid private or unobserved situations, including being alone with a child in the changing rooms.
- Avoid entering changing rooms - if you must enter, knock and announce yourself and try to have at least one other adult with you.
- Avoid driving a child unaccompanied.
- Do not invite or encourage children to your home without their caregiver.
- Always have another adult present when staying overnight anywhere with children.
- Do not share a room with a child, other than your own in the absence of their caregiver.

4. Recruitment and Training Processes for Staff and Volunteers

NNZ seeks to protect the health, safety and wellbeing of all people participating in the activities of NNZ and its members. To ensure that suitable and appropriate staff and volunteers (including parents) are working with children in Netball, a robust recruitment and screening process should be followed for all roles. Screening is also required for staff and volunteers currently engaged in existing roles.

Screening

The Vulnerable Children's Act requires all persons who have direct contact with any person(s) under the age of 18 years to be screened.

It is the responsibility of each organisation (NNZ, Zone or Centre) to undertake the screening process and manage all applications, recording and review processes involved with the screening.

a. Netball New Zealand

Screening is mandatory for preferred applicants and persons currently engaged in the following types of roles

- i) Coaches who are employed or contracted by NNZ for reward or on a voluntary basis.
- ii) Persons appointed by NNZ to a role in which the person is likely to have individual and unsupervised contact with participants under 18 years of age.
- iii) Any person appointed by NNZ to a role where that person has been the subject of rumour, suspicion or complaints regarding harassment or abuse.

b. Zones and Centres

Screening is mandatory for those seeking appointment to the following types of roles:

- i) Coaches who are employed or contracted by Zones and Netball Centres for reward.
- ii) Volunteer coaches appointed by Zones or Netball Centres who are likely to travel away from their usual residence with teams of participants under 18 years of age.
- iii) Persons appointed by Zones or Netball Centres to a role in which that person is likely to have individual and unsupervised contact with participants under the age of 18 years of age.
- iv) Volunteer coaches appointed by Zones or Netball Centres who are likely to travel away with teams over 18 years of age.

c. Zones and Centres

Screening is recommended for those persons appointed by Zones or Netball Centres to a role in which that person is likely to have contact with participants under 18 years of age but where such contact is supervised at all times by another adult.

- c.** As set out in the NNZ Regulations Harassment Free Regulations 2017 and requirements under the Vulnerable Children's Act screening shall include:
- i) Interviewing the applicant.
 - ii) Verifying the applicant's application form and referees.
 - iii) Obtaining a Police Check for the preferred applicant.
 - iv) Obtaining a Ministry of Justice Criminal check for the preferred applicant.
- d.** The purpose of the Police check or Ministry of Justice Criminal Check is to see whether the person has any previous criminal convictions and/or had any contact with the NZ Police. If the person has had contact with the NZ Police, then the following requirements apply:
- (i) If there is no conviction but the contact with the NZ Police (whenever it occurred) involved dishonesty, drugs, threatening behaviour, harassment, violence, or other crimes against a person (e.g. sex offences, assault) then the Harassment Free/Child Protection Officer will provide the person with the opportunity to respond. The response will be provided to the relevant CEO (NNZ, Zone, Centre) for a final decision on whether an appointment can be made.
 - (ii) If the conviction (whenever it occurred), is one involving dishonesty, drugs, threatening behaviour, harassment, violence, or other crimes against a person (e.g. sex offences, assault) then they must not be appointed to the role.
 - (iii) If the conviction is other than those in 4d (ii), and is a matter that does not suggest that the person is a potential risk to NNZ members and staff, then the person may be appointed, subject to satisfaction of other criteria for the role.
- e.** If the preferred applicant is not willing to agree to the Police Check or Ministry of Justice Criminal Check, then neither NNZ, any Zone nor Netball Centre shall appoint that person to such a role.
- f.** All information obtained during the course of screening (including any Police or Criminal Checks) is personal information and shall comply with the Privacy Act. It must be kept confidential to the persons or committee within NNZ, the Zone or the Netball Centre who has been delegated the task of investigating and/or making the appointment for the role. Information collected during the screening about a person who is not appointed to the role, other than a record of the result of any check, must be destroyed within twelve months and not retained by NNZ, the Zone or Netball Centre, unless the applicant agrees for them to do so.
- g.** It is mandatory for NNZ, the Zones and Netball Centres to conduct Police Checks on persons in the roles of the type set out in 4a. and 4b of the NNZ Regulations.
- h.** In addition, prior to July 2019 NNZ, Zones and Netball Centres, are required under the Vulnerable Children Act, to conduct police vetting for existing staff or volunteers in the roles of the type set out in clause 4a and 4b in this policy.

- i. In addition to obtaining Police Checks for preferred applicants, NNZ, Zones and Netball Centres are highly recommended to also consider:
 - (i) imposing a positive obligation on all existing appointees (whether paid or unpaid) in roles of the type set out in clause 4.a and 4.b in this policy within NNZ, Zones and Netball Centres to disclose to NNZ, the relevant Zone or Centre any circumstances which arise during the course of their appointment which have or might give rise to a criminal prosecution; and
 - (ii) obtaining consent from all such appointees to undergo periodic Police Checks. Such checks should be done every 3years or if whenever there is cause for concern about a particular person. This is a mandatory requirement. If the check reveals a criminal conviction of the type set out in clause 4d (i) (ii), then legal advice should be taken about whether or not and, if so how, the next steps should be undertaken to end the appointment.

5. Appoint a Child Protection Officer (CPO)

A CPO shall be appointed at NNZ, Zone (5) and affiliated Netball Centre's (83). In some Organisations this person may also be the Harassment Free Officer (HFO)

The CPO must be named and communicated to the members of each organisation.

The primary role of the CPO is to manage child protection issues. Their main duties/responsibilities would include;

- Ensuring that child protection procedures are understood and adhered to by all members and staff.
- Organising promotional activities, training and raising awareness within the organisation.
- Establishing and maintaining the complaints procedure.
- Reporting to the Board/Executive Committee/Management as appropriate.
- Acting as the main contact and support for child protection matters.
- Keeping up-to-date with developments in child protection legislation.
- Liaising with local child protection agencies as required.
- Maintaining confidential records of reported cases and any action taken.
- Regularly monitoring and reviewing existing policies and procedures.

6. Education and training of staff and volunteers

In addition to the pre-selection checks, the child protection process should include subsequent monitoring and training of staff and volunteers in order to ensure that they are working safely and effectively with children.

- Staff/volunteer induction is an ideal time to introduce child protection training and the procedures set out in this policy.
- Staff/volunteers should be clear what constitutes inappropriate or unacceptable behavior.

- Identify any potential risk situations and provide staff/volunteers with guidelines to ensure every step is taken to remove them from situations where potential for abuse or allegations of abuse could occur.
- Identify and respond to any unacceptable behavior or practices of staff and volunteers and respond in a positive manner i.e. via training to improve practices.

7. Complaint and Investigative process - Breaches of the Safe Netball for Children Policy

Any person may make a complaint about a person to whom this Safe Netball for Children Policy applies if they consider that a person has, or may have, breached any part of this policy.

Any complaint relating to this policy must be forwarded to the CPO and should be dealt with in line with the procedures outlined in the Regulations of Netball New Zealand Incorporated, Harassment Free Netball Regulations 4.8 Complaints, 4.9 Complaints process, 4.10 Notification of Abuse, 4.11 Investigation and Hearings, 4.12 Penalties and 4.13 Appeals Process.

8. Responding to suspected harm in the nature of physical or sexual abuse

Physical or sexual abuse is at the most serious end of the harm spectrum and will require an immediate response. In responding to suspected child physical or sexual abuse there are a few key principles that should be applied immediately. These are;

- The welfare and interests of the child are the first and paramount considerations.
- Suspected and actual incidences of reported harm should be responded to and recorded accurately and appropriately and as soon as possible.
- Notify The Ministry for Vulnerable Children, Oranga if you are worried about suspected physical or sexual abuse. If you think the child is at immediate risk, the Police should be notified. (Police are the only people who can remove a child from a family. The Ministry for Vulnerable Children, must first apply through the court)

Responding to suspected or disclosed harm in the form of physical or sexual abuse:

SITUATION

Harm suspected, witnessed, reported or disclosed

If alleged harm is by a staff member or volunteer

If alleged harm is by a non-staff member

Investigation by the Police

NNZ Debrief

ACTION

Ensure the child is safe from immediate harm

LISTEN to the child and reassure them

RECORD accurately and appropriately any information received/observed

CONSULT immediately with CPO

CPO to REPORT the concern to CYF or the Police

Follow the advise of CYF or the Police. Ensure there is no contact between the staff member or volunteer and the child

Follow the advise of CYF or the Police. Ensure the child is in a safe place

CONSIDERATIONS

Do not formally interview the child or make any judgements or commitments you cannot keep. Confidentiality is important. Avoid questioning the child beyond what they have already disclosed. Record facts concisely following: type of harm, signs and symptoms noted, any particular incidents with dates, times and place and any action taken

A staff member or volunteer must be informed of any allegations against them. Be guided by the Police on this as each situation will be judged in its merits. Where there is a criminal offence the Police may want to notify the person. The employee or volunteer may be stood down while the matter is being investigated.

Decide who will inform the parents and provide support to the family. Seek help from trained personnel in order to manager this process effectively.

Note that there is a difference between a criminal investigation and an employment matter and that these must be kept separate.

Debrief will include decisions about the person's future involvement and a review of how the situation was managed and what changes to policy or safeguards need to be made.

- *Managing the rights of the alleged offender* – People who have allegedly acted improperly also have rights e.g. privacy. They also have a reputation and families of their own and it is important to carefully investigate any complaints and follow a robust and fair process.

9. Policy Review

The Safe Netball for Children Policy will be updated annually in line with the NNZ Regulations review process.

The policy may be reviewed or amended at any time in line with legislative changes or where specific concerns might be identified about the protection of children that warrants an immediate policy change.

Any changes will be communicated with the Netball community in line with the Regulations update.

10. Supporting policies, documents and Important links

- NNZ Junior Netball Policy
- NNZ Regulations <http://www.netballnz.co.nz/useful-info/resource-library/netball-nz>
- Engagement Application Template
<http://www.netballnz.co.nz/useful-info/resource-library/netball-nz>
- Vulnerable Children Act <http://www.legislation.govt.nz>
- Ministry of Justice <https://www.justice.govt.nz>
- New Zealand Police – Register your organisation
<http://www.police.govt.nz/advice/businesses-and-organisations/vetting/register-new-zealand-police-vetting>

Date of Policy:	July 2017
Review Frequency:	Annually
Next Review Date:	April 2017 (in line with NNZ Regulations Review)