



CHILD PROTECTION POLICY

September 2019

BACKGROUND - CREATING A CHILD SAFE ENVIRONMENT

Clubs and associations have a duty of care to develop child safe environments, minimise opportunities for child abuse and prevent child-offenders from gaining access to the organisation.

Organisations should have in place policies that promote safer and supportive environments for children.

Many employers and volunteer organisations promote good risk management policies that include practices that safeguard children, codes of conduct and supervision and training.

INTRODUCTION

The Tasmanian Equine Endurance Riders Association Inc. (TEERA) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone involved with TEERA activities is responsible for the care and protection of children and reporting information about child abuse.

PURPOSE

The purpose of this policy is

1. To maintain an organisational culture of child safety.
2. To prevent child abuse within TEERA.
3. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
4. To provide guidance to officials, other volunteers and contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
5. To provide a clear statement to officials/other volunteers/contractors forbidding any such abuse.
6. To provide assurance that any and all suspected abuse will be reported and fully investigated.



POLICY

TEERA is committed to promoting and protecting the best interests of children involved in its activities.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

TEERA has zero tolerance for child abuse. Everyone working within or for TEERA and its member clubs is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

Child protection is a shared responsibility between TEERA, all members, officials, other volunteers and contractors of the TEERA community.

TEERA will consider the opinions of children and use their opinions to develop child protection policies.

TEERA supports and respects all children, staff and volunteers. TEERA is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

If any person believes a child is in immediate risk of abuse, telephone 000.



CHILD PROTECTION PROCEDURES

SEPTEMBER 2019

RESPONSIBILITIES

The Management Committee of TEERA has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Committee is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The President of TEERA is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all officials, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- Ensuring that all adults within the TEERA community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All officials must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible;
- Educate volunteers and employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Officials should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All officials/volunteers/members and contractors share the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and TEERA's policy and procedures in relation to child protection, and comply with all requirements;



- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child's safety may be at risk to the senior official e.g. Chief Steward (or, if the senior official is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical safety.

DEFINITIONS

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

Reasonable grounds for belief is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

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

- (a) the child is in need of protection,
- (b) the child has suffered or is likely to suffer "significant harm as a result of physical injury," or
- (c) the parents are unable or unwilling to protect the child.

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



A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

- a) a child states that they have been physically or sexually abused;
- b) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) someone who knows a child states that the child has been physically or sexually abused;
- d) professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

ENGAGEMENT OF NEW PERSONNEL

TEERA expects that member clubs will screen all officials and volunteers with an aim to:

- promote and protect the safety of all children under the care of the organisation;
- identify the safest and most suitable people who share TEERA's values and commitment to protect children; and
- prevent a person from working at TEERA activities if they pose a risk to children.

TEERA may require officials/volunteers to provide a police check in accordance with the law and as appropriate, before they commence working with TEERA and during their time with TEERA at regular intervals. This requirement is mandatory when the role of an official or other volunteer includes being alone with a child or children.

Once engaged, officials/volunteers must review and acknowledge their understanding of this Policy.

RISK MANAGEMENT

TEERA will ensure that child safety is a part of its overall risk management approach.



REPORTING

Any official, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their supervisor about their concern. In most cases this would be the Chief Steward

In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the President and also to any external regulatory body such as the police.

[Insert here relevant mandatory/voluntary reporting requirements relevant to your state. See Part Six of the Child Protection Toolkit for details.]

INVESTIGATING

If the appropriate child protection service or the police decide to investigate a report, all officials, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the President will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the President may decide to conduct such an investigation. All officials, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice.

The President will make every effort to keep any such investigation confidential; however, from time to time other members may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the President shall coordinate the investigation with the appropriate investigators and/or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

RESPONDING

If it is alleged that a member, official, contractor or volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, in accordance with TEERA's Rules.



PRIVACY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. TEERA will have safeguards and practices in place to ensure any personal information is protected.

Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

REVIEWING

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

RELATED DOCUMENTS

This policy must be read in conjunction with:

- The law of the Commonwealth or of the relevant state or territory; (see appendix)
- TEERA's and AERA's Codes of Conduct;
- TEERA's rules relating to the misconduct and expulsion of members.

AUTHORISATION

Adopted by T.E.E.R.A State Management Committee 18th September 2019



APPENDIX

EXTRACTS FROM EXPLANATIONS OF TASMANIAN LEGISLATION

Need for registration to work with vulnerable people - exemptions

<https://www.cbos.tas.gov.au/topics/licensing-and-registration/registrations/work-with-vulnerable-people/exemptions>

You may not need to register if you qualify for an exemption. An employer or volunteer organisation can still ask you to register even if you are exempt (Section 9 of the [Registration to Work with Vulnerable People Act 2013](#)).

See below for exemption examples.

YOU MAY BE EXEMPT IF:

- you are under the age of 16
- you are working or volunteering with children for 7 days or less per calendar year
- you hold a current interstate registration and want to use it in Tasmania for 28 days or less per year for a similar activity (except if you are a Teacher)
- you are a close relative of the child (this does not apply to kinship carers)
- you are a police officer or a correctional officer
- you are an emergency management worker dealing with an emergency
- you are a school student on a work experience placement or doing practical training
- you are doing the same activity as the child (for example, playing together in a sporting team)
- your only contact with a child is working with a record of them.

Please note:

- overnight camps are not exempt. If you are working or volunteering with children including an overnight stay, you will need to register
- if you are a Police Officer (for example) volunteering on the committee of your local sporting team, you are only exempt in your professional role. You must still apply for registration in your sporting team role
- the 7 days or less exemption is based on days not hours. Per day includes one event in a day. That is, one hour of parent help at a school or one hour working as a soccer coach for a club/association counts as a day