



CHILD PROTECTION POLICY

Purpose and Scope

NSW Institute of Sport is firmly committed to a coordinated and comprehensive approach to promote the protection of children. In accordance with the NSW Government principles for child protection and intervention, the Institute aims to promote a safe environment for all children and to assist all staff in recognising and reporting suspected child abuse. The policy covers the requirements of the following legislations:

(a) **The Child Protection (Prohibited Employment) Act 1998**

“The Child Protection (Prohibited Employment) Act” is designed to reduce the risk of abuse of children and young people by those entrusted with care.

The Act aims to prevent a prohibited person from gaining or remaining in specific types of child-related employment. An employer cannot employ a prohibited person for work that involves direct contact with children where that contact is unsupervised.

Definition – Prohibited Person

“A prohibited person is a person convicted of committing a serious sex offence, which involves sexual activity or acts of indecency that is or was punishable by imprisonment.”

The Institute proactively supports the principles of the Act and has demonstrated this through the development, implementation and updating of this Child Protection Policy and Procedures, service level agreements and code of conduct.

(b) **Commission for Children and Young People Act 1998**

The Act establishes the Commission for Children and Young People (CCYP) as an independent organisation with an aim to make NSW a better place for children and young people. One of the major functions of the CCYP is to facilitate screening to determining the suitability of people for child-related employment.

(c) **Ombudsman Act 1974**

Part 3A of the Act focuses on Child Protection with purpose of overseeing and monitoring the investigation of and management response to child abuse allegations and convictions against employees of certain government and non government agencies. The Act also requires the Ombudsman to scrutinize the systems agencies have in place to protect children from child abuse and determine whether an investigation into child abuse allegation or conviction against an employee was properly conducted and whether appropriate action was taken as a result of the investigation.

(d) Children and Young Persons (Care and Protection) Act 1998

The Act prescribes the role of the Department of Community Services in Child protection covering the provision of services to children, young people and parents when a request for assistance is received, receiving and assessing reports of child abuse and neglect and acting to maintain the safety of children and young people.

NSW Institute of Sport's Obligations

NSWIS will only employ a person who is not a "prohibited" person and also establish where necessary that existing employees are not prohibited persons.

NSWIS will conduct employment screening by approved Screening Agency (Department of Sport & Recreation) before employing staff.

NSWIS will notify the CCYP of the relevant disciplinary proceeding taken as a result of an allegation/conviction of abuse by an employee.

NSWIS will notify the CCYP of applicants who have not been offered child-related employment as a result of assessment by approved screening agency.

NSWIS will securely retain records.

NSWIS will conduct investigations into child abuse allegations or convictions and to take appropriate action as a result.

NSWIS will report to the Ombudsman within 30 days of becoming aware any allegations or convictions of child abuse made against employees.

NSWIS will inform the person subject of the allegations of the substance of any allegations made against them and the grounds for proposed adverse comments.

NSWIS will provide the person who is subject of the allegations with reasonable opportunity to put their case either in writing or at a hearing.

NSWIS will make reasonable inquiries or investigations before making a decision and ensure that no person decides a case in relation to which they have a conflict of interest.

NSWIS will ensure the maintenance of confidentiality and provide the employee with the opportunity to respond to allegations and adverse comments during the investigative process.

NSWIS will conduct the investigation without undue delay and act fairly and without bias.

NSWIS will ensure that relevant employees are aware of their obligations to report to the Department of Community Services, a child or young person who are considered to be at risk of harm.

NSWIS Staff Roles and Responsibilities

Chief Executive Officer: is responsible for

- setting up systems for preventing, handling and responding to allegations or convictions of child abuse against an employee of NSWIS
- provide when requested by the Ombudsman, information about the type and operations of those systems
- make arrangements within NSWIS to require all employees to notify the CEO of any child abuse allegation or conviction of which they have become aware
- notify the Ombudsman of any child abuse allegation or conviction against an employee within 30 days of becoming aware of the allegations
- notify the Ombudsman on whether or not NSWIS plans to take any disciplinary or other action in relation to an NSWIS employee who is subject to an allegation or conviction and the reason for taking that action
- making the decision based on the outcomes of the investigations and recommendations made by the CEO.

Manager–Finance & Corporate Services: is responsible for ensuring that all the investigation processes are undertaken as outlined in the NSWIS Child Protection Policy and Procedures.

Human Resources Coordinator: is responsible for ensuring that all required documentation for screening new employees is completed with the contracts of employment and that the appropriate checks have been done.

Employee Obligations

The employee will disclose to the employer his/her status relating to the definitions of a prohibited person and not apply for or remain in child-related employment if a prohibited employee.

The employee will inform the NSWIS CEO of any child abuse allegation or conviction against an employee which occurs either within or outside the work place. The employee will report concerns that a child or young person is “at risk of harm”.

The employee will ensure practice is consistent with the principles, objectives and provisions of the relevant sections of the relevant Acts as explained by this policy.

NSW Institute of Sport's Code of Conduct

In addition to this policy the Institute's Code states clearly that:

"Working in the area of elite sport many of us come into regular contact with children. It is essential that the community is confident that we are committed to the protection and safety of all children in our care.

We need to take the lead in child protection and intervention by providing a safe environment for all children and to recognise and report suspected child abuse and neglect.

All staff have a duty of care and

- should ensure children's safety, welfare and well-being are maintained.*
- report any suspected cases of child abuse or neglect cases where you believe a child is at risk of being abused or assaulted either to your supervisor or senior officer if it is in a work situation.*
- be aware of how your own actions and behaviour may be perceived by others and ensure that your behaviour at all times is professional and is in no way threatening to children. "*