

# Torrens Rowing Club



## Member Protection Policy

VERSION 3.0 [RATIFIED BY COMMITTEE ON 10/2/21 AS SUBMITTED TO CHILD SAFE AUSTRALIA ON 20/2/21]

VERSION 3.0 REVISION 1 RATIFIED BY COMMITTEE 9/07/2024

### RELATED POLICIES

TRC Risk Management

Rowing South Australia Code of Conduct

National Integrity Framework Policies

## 1. Introduction

Torrens Rowing Club (TRC) is committed to the health, safety and wellbeing of all its members and is dedicated to providing a safe environment for those participating in rowing activities and events. TRC wants rowing to be fun, enjoyable and safe for all. Rowers are nurtured in an environment that values safety, trust, respect, caring and responsibility. This environment encourages acceptance, confidence and risk taking. Rowing is a sport where the athletes need to have faith and trust in themselves and in the people around them, both on and off the water. The motivation for members to give freely of their time for sport and to support the club can be found in our club's values:

- safety and support
- caring and camaraderie
- trust and teamwork
- respect and responsibility

## 2. Commitment to the safety of children and young people

Torrens Rowing Club accepts its responsibility to provide a safe environment for children that minimises the risk of discrimination, harassment, harm and risk of harm as required under the law, specifically:

- Children and Young People (Safety) Act 2017, which requires prescribed organisations to provide safe environments for children and young people as set out in the legislation and

- Child Safety (Prohibited Persons) Act 2016 which sets out the obligations of persons or bodies who provide a service or undertake an activity that constitutes child-related work including ensuring these people have a valid Working with Children Check (WWCC).

Torrens Rowing Club will strive to:

- provide a safe environment for everyone involved in rowing
- take an inclusive approach in its activities
- ensure the safety and wellbeing of their Members and Children or Young People in particular.

In delivering on this commitment to the health, safety and wellbeing of all their Members, TRC takes seriously its positive obligation to educate and inform everyone involved in rowing activities of each person's responsibilities to:

- protect each other, and particularly Children or Young People, from all harm and risk of harm including Grooming
- create and maintain a Member and child-safe culture and a culture of inclusion and safety that is understood, endorsed and put into action by all.
- Subject to their respective legislative, rules and human resources (employment) frameworks, TRC will:
  - adopt, implement and comply with this Policy (including its appendices)
  - ensure that the constitution, by-laws or other rules and policies include the necessary clauses for this Policy to be enforceable
  - publish, distribute and promote this Policy and the consequences of breaches
  - promote and model appropriate standards of behaviour at all times
  - deal with any breaches, reports or Formal complaints made under this Policy in a sensitive, fair, timely and confidential manner
  - apply this Policy consistently
  - recognise and enforce any penalty imposed under this Policy
  - ensure that a copy of this Policy is available or accessible to the persons and associations to whom this Policy applies
  - use appropriately trained people to receive and manage any report, complaint or allegation
  - monitor and review this Policy regularly.

## **3. Scope**

This Policy (including its appendices) binds everyone who is involved in Torrens Rowing Club including but not only:

- a) persons appointed or elected to boards, committees and subcommittees
- b) volunteers
- c) support personnel
- d) all Members, coaches, individual members and life members
- e) any other person involved in TRC rowing club including but not limited to participants, parents, guardians, spectators, sponsors and licensees and other contracted parties to the full extent possible.

This Policy will continue to apply to a person, even after they have stopped their association or employment (subject to this Policy's terms) with TRC, if disciplinary action against that person has commenced.

## **4. Children and young people's participation**

### **Torrens Rowing Club and its members:**

- are committed to the safety and wellbeing of Members and all Children and Young People (CYP) who access any rowing activities, programs, events or services
- are committed to providing CYP with positive and nurturing experiences
- will use their best endeavours to support families and communities to promote CYP's healthy development and wellbeing
- will strive to ensure that CYP are protected and not exploited, abused or harmed during their involvement with any rowing activities, programs, events or services
- will listen to CYP and address any concerns that they raise
- may ask for consent from CYP and their parents/carers before seeking out or providing information about them to any other individuals or organisation. TRC may not however, ask for consent to disclose information to police, regulatory authorities or relevant statutory child protection agencies if they have concerns about the safety and wellbeing of a specific CYP
- are committed to supporting parents and carers to protect their CYP
- are committed to communicating honestly and openly with parents and carers about the wellbeing and safety of their CYP
- will promote and distribute information about this member protection policy and appendices to CYP and parents/carers as part of an introduction to TRC activities, services and programs
- aim to be transparent in decision-making with parents and carers as long as doing so does not compromise the safety of CYP or breach any confidentiality obligations.

### **TRC's commitment to ensuring a child-safe organisation:**

Torrens Rowing Club and its members:

- are committed to complying with relevant standards in the recruitment, screening and employment of any Persons in Positions of Authority (PPA)
- will work to create an environment in which CYP are safe and feel safe in any of our rowing programs, activities or events
- will strive to ensure that PPA do not harm, abuse or exploit CYP who are involved with rowing activities, programs or services.

## **5. Codes of Conduct**

The Codes of Conduct must be followed at all times by all Members and all people involved in any way with TRC.

### **5.1 General Code of Conduct**

Members and all people involved in any way with TRC will:

- a) respect the rights, dignity and worth of others—treat others as you would like to be treated yourself
- b) be ethical, considerate, fair, courteous and honest in all dealings with other people and organisations
- c) be professional in, and accept responsibility for your actions
- d) be aware of and follow—at all times—TRC and RSA standards, rules, policies and procedures and promote those standards, rules, policies and procedures to others
- e) operate within the rules and spirit of the sport, including the national and international guidelines that govern rowing
- f) understand the possible consequences of breaching the Codes and/or this Policy
- g) report any breaches of the Codes or this Policy to the appropriate PPA

- h) refrain from any form of Abuse, Harassment, Discrimination and Victimisation towards others
- i) raise concerns regarding decisions of PPA through the appropriate channels and in a timely manner
- j) provide a safe environment for the conduct of activities in accordance with any relevant TRC/Rowing South Australia/Rowing Australia policy
- k) show concern, empathy and caution towards others that may be sick or injured
- l) be a positive role model to all
- m) respect and protect confidential information obtained through TRC & RSA activities or services; whether individuals and/or organisational information
- n) maintain the required standard of accreditation and/or licensing of professional competencies, as applicable to the role(s)
- o) ensure that any physical contact with others is appropriate to the situation and necessary for the person's skill development
- p) refrain from intimate relations with persons over whom you have a position of authority
- q) agree to abide by the Codes
- r) maintain a duty of care towards others
- s) be impartial and accept the responsibility for all actions taken.

All persons involved with the Torrens Rowing Club including members, coaches, supporters and spectators are also required to adhere to the following:

- The Rowing South Australia Code of Conduct
- The Rowing Australia Member Protection Policy and Safe Guarding Children and Young People Policy (policies within the National Integrity Framework)

A breach of any of these codes shall constitute a breach of the Torrens Rowing Club Code of conduct. Such a breach shall be handled in accordance with the Torrens Rowing Club Member Protection Policy (this policy).

## **5.2 Code of Conduct for PPA in dealing with CYP**

For clarity and emphasis regarding this Code of Conduct, PPA includes:

- any adult in TRC
- any CYP in TRC who is in a position of providing guidance and advice (authority) to other CYP or adults.

### **5.2.1 Positive guidance**

CYP participating in TRC events, services, programs and activities should be made aware of the acceptable limits of their behaviour so that a positive experience can be provided for all Participants. There are times, however, when PPA may be required to use appropriate techniques and behaviour management to ensure:

- an effective and positive environment
- the safety and/or wellbeing of CYP or other TRC personnel.

PPA should use strategies that are fair, respectful and appropriate to the developmental stage of the Children or Young People involved. CYP need to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive manner.

### **5.2.2 Adhering to role boundaries**

PPA should act within the confines of their duties at all times, subject to a direction by a relevant Senior Person. With the exception of parents/carers of their own CYP and/or PPA who are expressly

authorised by the relevant parents/carers of CYP to engage in specific activities with their CYP, PPA should not:

- provide unauthorised transportation
- engage in activities with CYP who are Members outside of authorised TRC services, programs, events or activities
- seek contact with CYP who are Members outside authorised TRC services, programs, events or activities
- accept an invitation to attend any private social function at the request of a CYP who has participated, or is participating, in authorised TRC services, programs, events or activities.

For the purpose of this provision, express authority should be specific authority for particular activities. If any PPA become aware of a situation in which a CYP requires assistance that is beyond the confines of that person's role, or beyond the scope of TRC's usual service, they should at the earliest opportunity:

- refer the matter to an appropriate support agency, as well as to the relevant RSA Entity
- refer the CYP to an appropriate support agency
- contact the CYP's parent or guardian as appropriate (which may be undertaken in consultation with the relevant RSA Entity)
- seek advice from a Senior Person.

### **5.2.3. Uniform and identity card/pass/badge/WWCC**

PPA other than parents/carers of CYP or Participants should have available their uniform or identification tag/badge/pass (where issued and/or available) only while involved in delivering services, programs, events or activities or as required by their role, such as when representing a TRC Entity at designated events and functions, or to and from that work.

### **5.2.4 Use of language and tone of voice**

Language and tone of voice used in the presence of CYP should:

- provide clear direction, boost their confidence, encourage or affirm them
- not be harmful—therefore, avoid language that is intended to be, or is received or likely to be received by the individual it is directed at or any other person as:
  - discriminatory, racist or sexist
  - derogatory, belittling or negative, for example, by calling a CYP a 'loser' or telling them they are 'too fat' or threatening or frightening or
  - profane or sexual.

Similar language and tone of voice should be used in all Member-to-Member transactions.

### **5.2.5 Supervision of CYP**

PPA responsible for supervising CYP in relation to whom TRC entities have a direct role in providing activities, events, programs and services must strive to ensure that those Participants:

- engage positively within the delivery of the service, program, event or facility
- behave appropriately towards one another
- are in a safe environment and are protected from external threats.

Except for the parents/carers of CYP, PPA are required to avoid unsupervised situations with CYP to whom we provide services, events, programs and/or activities and (where possible) to conduct all activities and/or discussions with service and program Participants in view of other PPA.

### **5.2.6 Use of electronic communications**

Other than between CYP, wherever possible, social media messages (such as text, email, Facebook or Instagram) sent to a CYP by a PPA should be copied to their parent or carer. Where a parent is not included in a communication that communication should:

- be restricted to issues directly associated with delivering services, activities or programs, such as advising that a scheduled TRC event (such as training) is cancelled

- limit personal or social content to what is required to convey the service-related message in a polite, friendly manner. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature.
- not promote unauthorised social activity or arrange unauthorised contact
- not request a CYP to keep a communication a secret from their parents or carers
- not be delivered with CYP using internet chat rooms or similar forums such as social networking sites, game sites or instant messaging.

All PPA who deliver services, programs, events and activities are required to follow the 'acceptable use' policy in relation to browsing websites on TRC Entities' computers.

PPA are also required to ensure appropriate monitoring of CYP when they use relevant TRC Entities' electronic communication equipment to ensure that they do not inadvertently place themselves at risk of Abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate email communication.

### **5.2.7 Giving gifts to CYP**

Other than parents/carers of CYP giving gifts to their own child or children, the giving of gifts by PPA to CYP to whom services are provided is subject to:

- obtaining prior authorisation from a Senior Person permitted to authorise gift-giving from a TRC Entity
- parents or other responsible adults being made aware of any gift given.

### **5.2.8 Photographs of CYP**

CYP to whom a service is delivered are to be photographed while involved in a relevant TRC service, activity, event or facility only if:

- prior approval has been granted by the relevant CYP or the parents/guardian of the relevant CYP and by the relevant TRC Entity
- the context is directly related to participation in TRC/RSA activities
- the CYP is appropriately dressed and posed
- the image is taken in the presence of other PPA
- except in the case of CYP and/or their parents/carers distributing photos of themselves or their own children to each other or to others, images are not to be distributed (including an attachment to an email) to anyone outside PPA other than the child photographed or their parent/carer, without knowledge and approval of a Senior Person
- images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:
  - if in hard copy form, in a locked drawer or cabinet
  - if in electronic form, in a password-protected folder
- images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required
- images are not to be exhibited on TRC website without parental/carer knowledge and approval, or such images must be presented in a manner that de-identifies the CYP.
- Any caption or accompanying text may need to be checked so that it does not identify a CYP if such identification is potentially detrimental.

### **5.2.9 Physical contact with CYP**

Any physical contact with CYP must be appropriate to the delivery of TRC services, events, programs or activities, such as when appropriately correcting technique and based on the needs of the CYP (such as to assist or comfort a distressed young person) rather than on the needs of PPA.

Under no circumstances should any PPA have contact with CYP participating in a TRC service, program, activity or event that:

- involves touching:
  - of genitals
  - of buttocks
  - of the breast area unless that is part of delivering medical or allied health services (ie. Physiotherapy) to which the relevant PPA are qualified to deliver and the relevant

medical intervention has the express prior consent of the relevant CYP and the parents/guardians of the relevant CYP involved

- would appear to a reasonable observer to have a sexual connotation
- is intended to cause pain or distress to the CYP—for example corporal punishment
- is overly physical—as is, for example, wrestling, horseplay, tickling or other roughhousing
- is unnecessary—as is, for example, assisting with toileting when a CYP does not require assistance
- is initiated against the wishes of the CYP, except if such contact may be necessary to prevent injury to the CYP or to others, in which case:
  - physical restraint should be a last resort
  - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the CYP to prevent harm to themselves or others
  - the incident must be reported to a Senior Person as soon as possible

PPA are required to report as soon as possible to a Senior Person, any physical contact initiated by a CYP that is sexual and/or inappropriate, for example, acts of physical aggression. This will enable the situation to be managed in the interests of the safety of the CYP, PPA and any other Participants.

### **5.2.10 Sexual misconduct and relationships**

Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of, CYP participating in any TRC environment. Engaging in sexual behaviour while participating in TRC services, events, programs or activities is prohibited even if the CYP involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution
- 'non-contact behaviour', such as flirting between adults and CYP, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Consensual intimate relationships (whether or not of a sexual nature) between a PPA and an adult Participant should where possible be avoided as they can have harmful effects on the Participant involved and on other Members and on our organisation's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the PPA and the Participant.

The PPA may wish to seek advice or support from a Member Protection Information Officer or equivalent if they feel harassed. The Reporting and Formal complaints procedure is outlined in Section 8 of this Policy.

### **5.2.11 Overnight stays and sleeping arrangements for CYP**

Overnight stays are to occur only with the authorisation of appropriate TRC Entity Senior Persons and of the parents/carers of the CYP involved. Practices and behaviour by PPA during an overnight stay must be consistent with the practices and behaviour expected during delivery of TRC services, programs, events and activities at other times.

Standards of conduct that must be observed by PPA during an overnight stay include but are not limited to:

- providing CYP with privacy when bathing and dressing
- observing appropriate dress standards when CYP are present—such as no exposure to adult nudity
- not allowing CYP to be exposed to pornographic material, for example, through movies, television, the internet or magazines
- not leaving CYP under the supervision or protection of unauthorised persons, such as hotel staff or friends

- not involving sleeping arrangements that may compromise the safety of CYP, such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a CYP
- the right of CYP to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay
- parents expecting that their CYP can, if they wish, make contact.



### **5.2.12 Change room arrangements**

Other than in the case of parents/carers of their CYP, PPA are required to supervise CYP in change rooms while balancing that requirement with a CYP'S right to privacy. In addition, PPA:

- should avoid one-on-one situations with CYP in a change room area
- are not permitted to use the change room area to, for example, undress, while CYP are present unless they are also competing in a TRC event or are participating in a TRC training environment
- need to ensure adequate supervision in public change rooms when they are used
- need to provide the level of supervision required for preventing Child Abuse by members of the public, adult service users, peer service users or general misbehaviour, while also respecting a child's privacy.
- In addition, females should avoid entering male change rooms and males should avoid entering female change rooms in any circumstance (other than an emergency). If a female has to enter a male change room or a male has to enter a female change room, adequate supervision is required.

## **5.3 Other Member welfare matters and expectations**

### **5.3.1 Use, possession or supply of alcohol or drugs**

While on duty or carrying out their roles, a Member including but not only PPA must not:

- use, possess or be under the influence of an illegal or illicit drug
- use or be under the influence of alcohol
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs
- supply alcohol or drugs (including tobacco) to CYP participating in any TRC service, program, event or activity. Use of legal drugs other than alcohol is permitted, provided such use does not interfere with PPA's ability to care for CYP involved in TRC services, programs, events or activities.

Responsible service and consumption of alcohol should apply to any alcohol consumed. Responsible services might include ensuring that light alcohol and soft drinks are always available.

Wherever possible, food might be made available to be consumed when alcohol is available, or transport policies may be adopted. All TRC Entities must adhere to strict guidelines regarding the responsible service and consumption of alcohol and act in accordance with relevant liquor licence laws and regulations.

### **5.3.2 Transporting children**

CYP are to be transported by PPA [other than by their parent(s)/carer(s)] only in circumstances that are directly related to the delivery of TRC services, events, programs or activities. For example, CYP should not be given casual lifts unrelated to TRC services, events or activities by PPA. CYP are to be transported by PPA only with prior authorisation from a relevant TRC member Senior Person and from the CYP's parent/carer. Gaining approval involves providing information about the proposed journey, including:

- the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat
- the reason for the journey
- the route to be followed, including any stops or side trips
- details of anyone who will be present during the journey other than PPA.

### **5.3.3 Pregnancy**

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in TRC should be removed. Any Discrimination or Harassment against pregnant women in TRC will not be tolerated. All TRC Entities will take reasonable care to ensure the safety, health and wellbeing of pregnant women and their unborn children. Pregnant women are advised that there may be risks involved and are encouraged to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, are of utmost

importance in their decision-making about the extent to which they choose to participate in TRC activities.

All pregnant women are encouraged to talk with their medical advisers and make themselves aware of the facts about pregnancy and participating in TRC activities and ensure that they make informed decisions about their participation. Pregnant women will be required to sign a disclaimer only if all other participants are required to sign one in similar circumstances. Women will not be required to undertake a pregnancy test. If a pregnant woman feels she has been harassed or discriminated against on the basis of her pregnancy by another person or organisation bound by this Policy, she may make a formal complaint.

#### **5.3.4 Gender identity**

TRC Entities are committed to providing a safe, fair and inclusive environment where people of all backgrounds can contribute and participate. People who identify as Transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition. Any unlawful discrimination or harassment of a person who identifies as Transgender or transsexual or who is thought to be Transgender or transsexual will not be tolerated. If a Transgender or transsexual person feels he or she has been harassed or discriminated against on the basis of their gender identity by another person or organisation bound by this Policy, they may make a formal complaint. Excluding Transgender and transsexual people from participating in events and activities has significant implications for their health, wellbeing and involvement in community life. In general, their participation in TRC on the basis of the gender with which they identify is supported.

RA's Gender Diverse & Transgender Inclusion Policy applies to TRC.

Drug testing procedures and prohibitions also apply to people who identify as Transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

#### **5.3.5 Smoking and Vaping**

Smoking and Vaping are now banned in many public spaces including parks and beaches in some states. TRC Entities do not allow Members to smoke or vape while undertaking TRC duties and ask that Members refrain from the practice when engaged in official TRC events such as club meetings, carnivals, presentations and training.

All TRC Entities must adhere to relevant legislation and local government regulations in relation to smoking and vaping requirements.

#### **5.3.6 Cyber Bullying**

All TRC Entities regard Bullying and Harassment in all forms as unacceptable. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements. New technologies and communication tools, such as smartphones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. No TRC Entity will tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, Bullying is a punishable criminal offence. Frustration with a rowing member, person of authority or a TRC Entity should never be communicated on social networking websites. These issues should instead be addressed—in a written or verbal statement or a formal complaint—to the relevant TRC Entity.

#### **5.3.7 Social networking websites**

TRC Entities acknowledge the enormous value of social networking websites, such as Facebook and Twitter, to promote TRC and celebrate the achievements and success of the people involved in TRC. All people bound by this Policy must conduct themselves appropriately when using social networking sites to share information related to TRC. Social media postings, blogs, status updates and tweets by Members:

- must not use offensive, provocative or hateful language or photographs/images
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of others

- should promote TRC in a positive way.

## **6. Recruitment and screening procedures for roles with direct contact with or permitting access to CYP**

### **6.1 Introduction**

Best practice recruitment and screening for all persons involved in TRC services who have direct contact with or access to CYP requires implementation of the processes outlined in clauses 6.2 to 6.8. The practices below as they apply to TRC employees are subject to relevant legislation and relevant rules, and employment processes adopted and implemented by TRC.

### **6.2 Application of procedures in section 6**

Subject to clause 6.1 above (as it relates to TRC employees), all TRC Entities should apply the practices and procedures in this section in relation to all prospective employees. Unless otherwise stated, all TRC Entities should, where feasible and to the greatest extent practicable, apply the practices and procedures in this section in relation to all volunteers in TRC. In section 6:

- volunteer includes any individuals volunteering their time and/or services free of charge or receiving reimbursement expenses only
- employee includes any individuals, whether full time, part time or casual, being employed by any TRC Entity and being remunerated for their time and/or services.

Where an TRC Entity is determining whether it is practical to apply the practice and procedures in this section, the following may be considered:

- the number of prospective applications
- the nature of the positions for which volunteers are being sought.

### **6.3 Purpose**

These recruitment and screening procedures seek to ensure that all TRC Entities recruit people who are suitably qualified and committed to providing professional, safe and enjoyable activities and services to CYP. There are specific recruitment and screening procedures that must be consistently followed by all TRC Entities when recruiting roles that have direct contact with or permit access to CYP in TRC.

As noted above in clause 6.1 recruitment of employees is governed by relevant legislation and the relevant rules, employment processes of the TRC. It is expected, however, that those practices should recognise the CPCS and other principles in the Policy, for example clause 6.4 and 6.5 below.

### **6.4 Advertising**

All TRC Entity advertised positions and internal position descriptions for positions that require direct contact with or permit access to CYP should contain the following statement (or similar):  
'We will carry out screening and undertake a background check process on all applicants prior to appointment.'

### **6.5 Department for Child Protection**

The Department for Child Protection (DCP) will be referenced in all position descriptions and applications documentation, and otherwise should be communicated and/or made available to applicants at least prior to an interview.

Subject to relevant legislation and the relevant rules, human resources and/or employment processes adopted and implemented by a particular TRC Entity all applicants for employment roles with TRC Entities that require direct contact with, or that permit access to CYP, should attend or participate in at least one interview or program of induction. TRC Entities should endeavour to interview applicants for volunteer roles with TRC entities that require direct contact with, or that permit access to CYP. As part of the interview, the DCP should be highlighted. Any screening requirements and their purpose should also be explained.

## **6.6 Proof of identity and qualifications check**

The identity and qualifications of each shortlisted applicant for any position requiring direct contact with or access to CYP may be confirmed by the relevant TRC Entity requesting proof of identity and proof of qualifications documents from the applicant that are relevant to their role and their suitability to work with CYP. On completion of the recruitment process and if requested, copies of the successful applicant's proof of identity and proof of qualifications documents should be added to the applicant's file.

If an applicant is unable to provide specific documentation, an appropriate Senior Person will be advised and an approval for a variation sought. The Senior Person or the relevant TRC Entity may withhold approval for any variation requested at their absolute discretion.

## **6.7 Background and screening checks**

Subject to relevant legislation and the relevant rules, human resources and/or employment processes of the relevant TRC Entity or unless the law provides otherwise, all TRC Entity boards and employees must have a satisfactory WWCC in the appropriate jurisdiction in which they spend the majority of their working time.

In addition, at the discretion of the relevant TRC Entity, applicants may be required to satisfy a number of background checks, at the commencement of, and in some cases during, the term of their role. These may include (but are not limited to) the following:

- a national criminal history record check
- a signed declaration
- a reference check
- any other relevant background checks to assess a person's suitability to work with Children or Young People.

If the applicant has already commenced in a role with TRC and the results of any background or screening checks are unsatisfactory, TRC may terminate the individual's position (whether employed or voluntary) without notice. TRC Entities should only recruit persons with appropriate qualifications and experience. If at any stage (including before or after commencement in the relevant position) it is discovered that any aspect of the applicant's curriculum vitae or the references or background checks that are provided in support of the application are dishonest or misleading, TRC will be entitled to terminate the position immediately without notice.

All TRC Entities must comply with relevant laws in relation to record keeping. Subject to those laws all TRC Entities should maintain:

- records of all employees and volunteers
- a register of WWCC and/or national criminal history record check for all persons for whom checks have been obtained. This register must detail application and approval or rejection details (including WWCC or equivalent identifiers), expiry dates and any other identifying and useful information.

All TRC Entities will work together in the best interests of their Members and PPA. As such, TRC Entities must share information from relevant employment records and/or its register of WWCC and/or national criminal history record check in order to resolve any recruitment or screening issues and/or in the interests of resolving any observation, disclosure or incident relating to CYP.

## **6.8 Guidelines for volunteers, short-term appointees and minors.**

Prospective parent/carer volunteers will be informed that, in the light of the above, every precaution will be taken to protect the CYP in the care of an TRC Entity. Accordingly, the policy for parent/carer volunteers:

- requires all TRC Entities to comply with any WWCC legislation that applies across the jurisdiction(s) in which they operate
- otherwise requires all prospective parent/carer volunteers to complete and sign a Member Protection Declaration, as located in the [Rowing Australia Member Protection policy](#)

# **7. Criminal assessment for club officers, members or volunteers**

In some instances, a Police Record Check will be required for prescribed club positions.

- a) The person in such a prescribed position must present a Police Record Check that is less than three years old, by making an application to the South Australian Police.
- b) The Torrens Rowing Club may apply for a criminal assessment where an assessment is not supplied and deemed essential to the role.

# **8. Responding to Complaints**

## **8.1 Complaints**

Torrens Rowing Club takes all complaints about on and off-water behaviour seriously. The club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- All complaints will be taken seriously
- Both the person making the complaint (complainant) and the person against whom the complaint is made (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story)
- Irrelevant matters will not be taken into account
- Decisions will be unbiased and fair
- Any penalties imposed will be fair and reasonable

More serious complaints will be dealt with by the committee who, through Division 2; 24 of the Torrens Rowing Club Constitution (2019), can enforce disciplinary action that may be escalated to Rowing South Australia or Rowing Australia.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then the Club will report the incident or behaviour to the police and/or relevant government authority and our national body in accordance with the requirements for Mandatory Reporting to the Child Abuse Report Line (CARL) on 13 14 78.



## 8.2 Child Abuse Reporting

The Club understands the legal obligation to notify CARL as soon as practicable if there are reasonable grounds that a child is, or may be at risk. Equally the Club accepts that child protection is everybody's responsibility and all members need to be supported and encouraged to report a suspicion that a child or young person is, or may be at risk regardless of whether they are legally obligated to.

The Club understands its role in educating and training members and staff about their role and responsibilities to report and respond appropriately. The Club will advertise resources such as the Child Safe Environments Program (<https://dhs.sa.gov.au/how-we-help/child-and-family-support-system-cfss/child-safe-environments>).

## 8.3 Complaint Handling Process

Complaints may be directed to any Committee Member that the Complainant chooses. At the time of receiving a complaint, the Committee Member shall become the Case Officer for this particular complaint.

Complaints may be received either in writing, including email, or verbally such as in person or via telephone.

When a complaint is received by the Club, the person receiving the complaint (the Committee Member and/or Case Officer) will:

- Listen carefully and ask questions to understand the nature and extent of the problem
- Ask what the complainant would like to happen
- Explain the different options available to help resolve the problem
- Take notes
- Maintain confidentiality but not necessarily anonymity
- Complete a confidential record of child abuse allegation

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 complainant to talk to the person being complained about
- Bringing all the people involved in the complaint together to talk objectively through the problem which may include external mediation
- Gathering more information, e.g. from other people that may have seen the behaviour
- Seeking advice from our district, regional, state and/or national body from an external agency, e.g. an anti-discrimination agency
- Referring the complaint to Rowing South Australia or Rowing Australia's National Integrity Unit 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 Rowing South Australia or Rowing Australia and an inquiry is conducted, the Club will:

- Cooperate fully
- Ensure the complainant and respondent are not victimised
- Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s)
- Act on the recommendations of Rowing South Australia or Rowing Australia

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

## **8.4 Disciplinary Measures**

Torrens Rowing Club will take disciplinary action against anyone found to have breached this Member Protection Policy or made false or malicious allegations. Any disciplinary measure imposed under the Policy must:

- Be applied consistent with any contractual rules and requirements
- Be fair and reasonable
- Be based on the evidence and information presented and the seriousness of the breach

Possible measures that may be taken include:

- Verbal and/or written apology
- Counselling to address behaviour
- Withdrawal of any awards, placing, records, achievements bestowed in any regattas, activities or events held or sanctioned by the Club
- 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
- Any other form of discipline that the Club considers reasonable and appropriate

## **8.5 Appeals**

The complainant or respondent can lodge one appeal against a decision of, or disciplinary measures imposed by, the Club to either Rowing South Australia or Rowing Australia.

Appeals must be based on either a denial of natural justice because of unjust or unreasonable disciplinary measure(s) being imposed or on the grounds that the decision was not supported by the information or evidence presented and available to the decision maker or the Club.



## ProForma Record of Complaint

<b>Complainant's name</b>			<b>Date</b> ?? / ?? / ??
<b>Complainant's age</b>	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18	
<b>Complainant's phone</b>			
<b>Complainant's email (in BLOCK caps)</b>			
<b>Complainant's role or status in the Club</b>	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete or player <input type="checkbox"/> Coach or assistant coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official <input type="checkbox"/>	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support <input type="checkbox"/> Personnel <input type="checkbox"/> Other _____ <input type="checkbox"/>	
<b>Name of person complained about</b>			
<b>Person complained about role/status in Club</b>	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete or player <input type="checkbox"/> Coach or assistant coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official <input type="checkbox"/>	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support <input type="checkbox"/> Personnel <input type="checkbox"/> Other _____ <input type="checkbox"/>	
<b>Location or event of alleged issue</b>	<input type="checkbox"/> Harassment <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Sexuality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Pregnancy <input type="checkbox"/>	<input type="checkbox"/> Discrimination <input type="checkbox"/> Selection dispute <input type="checkbox"/> Personality clash <input type="checkbox"/> Bullying <input type="checkbox"/> Disability <input type="checkbox"/> Child abuse <input type="checkbox"/>	<input type="checkbox"/> Coaching methods <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Physical abuse <input type="checkbox"/> Victimisation <input type="checkbox"/> Unfair decision <input type="checkbox"/>
	<input type="checkbox"/> Other		
<b>Description of alleged issue</b>			
<b>Nature of complaint (category/basis/grounds) Can tick more than one box</b>			
<b>What they want to happen to fix issue</b>			
<b>Information provided to them</b>			
<b>Resolution and/or action taken</b>			
<b>Follow-up action</b>			