

TABLE OF CONTENTS

1. INTRODUCTION	2
2. PURPOSE OF THE TORRENS ROWING CLUB MEMBER PROTECTION POLICY	2
3. WHO OUR POLICY APPLIES TO	2
4. EXTENT OF OUR POLICY	3
5. CLUB RESPONSIBILITY	3
6. INDIVIDUAL RESPONSIBILITIES	3
7. PROTECTION OF CHILDREN	3
7.1 CHILD PROTECTION	4
7.2 SUPERVISION	6
7.3 TRANSPORT	6
7.4 TAKING IMAGES OF CHILDREN	6
8. ANTI-HARASSMENT, DISCRIMINATION AND BULLYING	7
9. INCLUSIVE PRACTICES	7
9.1 PEOPLE WITH A DISABILITY	7
9.2 PEOPLE FROM DIVERSE CULTURES	7
9.3 SEXUAL AND GENDER IDENTITY	7
9.4 AGE AND ABILITY	8
9.5 PREGNANCY	8
10. RESPONDING TO COMPLAINTS	8
10.1 COMPLAINTS	8
10.2 COMPLAINT HANDLING PROCESS	8
10.3 DISCIPLINARY MEASURES	9
10.4 APPEALS	10
ATTACHMENT 1: CODES OF BEHAVIOUR	10
ATTACHMENT 2: THE ROWING SA CODE OF CONDUCT	11
A2.1 PURPOSE	11
A2.2 KEY PRINCIPLES	11
A2.3 KEY ELEMENTS	12
A2.4 GOVERNANCE	12
A2.5 UNSUITABLE BEHAVIOUR	12
ATTACHMENT 3: WORKING WITH CHILDREN SCREENING REQUIREMENTS	13
A3.1 IDENTIFYING AFFECTED POSITIONS	13
A3.2 PROCEDURES	14
A3.3 ACCEPTING “OTHER EVIDENCE”	14
A3.4 ASSESSING CRIMINAL HISTORY INFORMATION	15
A3.5 ENSURING PROCEDURAL FAIRNESS IF A PERSON HAS A CRIMINAL HISTORY	16
A3.6 RECORDS MANAGEMENT	16

A3.7 EXEMPTIONS FROM THE REQUIREMENT TO CONDUCT CRIMINAL HISTORY ASSESSMENTS	17
ATTACHMENT 4: PROCESS FOR DEALING WITH MEMBER CHARGED WITH OR UNDER INVESTIGATION FOR, A CRIMINAL OFFENCE.....	17
A4.1 GUIDING PRINCIPLE	18
A4.2 PROCEDURE.....	18
A4.3 GLOSSARY	19

1. INTRODUCTION

The Primary Purpose of the Torrens Rowing Club is to promote the sport of Rowing. We aim to achieve this objective through application of the following Values:

- Comradely and teamwork
- Tradition and sustainability
- Focus and commitment
- Determination and perseverance

As a result the Vision of the Torrens Rowing Club is to support the participation of recreation and competitive rowers of all levels through a professional and sustainable organisation that nurtures volunteers and develops a sense of community both on and off the water.

2. PURPOSE OF THE TORRENS ROWING CLUB MEMBER PROTECTION POLICY

The main objective of the Torrens Rowing Club Member Protection Policy is to maintain responsible behaviour and ethical and informed decision-making by participants in the Club. The Policy outlines the commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. The Policy informs everyone involved in the Club of their legal and ethical rights, responsibilities and the standards of behaviour that is required of them. It also covers the care and protection of children participating in the Club's activities.

The Torrens Rowing Club Member Protection Policy is modelled on that of the Club's national governing body, Rowing Australia. The Policy is ancillary to that of Rowing Australia's and is provided to the Club's members in the interests of transparency and ease of access to relevant information. The full Rowing Australia Member Protection Policy can be found on their website at <http://www.rowingaustralia.com.au>.

3. WHO OUR POLICY APPLIES TO

This policy applies to everyone involved in the Club including committee members, administrators, coaches, officials, including umpires, referees and judges, rowers, coxswains, volunteers, parents and spectators.

4. EXTENT OF OUR POLICY

This policy covers:

- Unfair decisions, e.g. team selection
- Breaches of the Codes of Behaviour (page 10)
- Inappropriate behaviour that occurs:
 - At practice
 - At meetings
 - At social events organised or sanctioned by the Club, Rowing South Australia or Rowing Australia
 - On away and overnight trips and
 - Any behaviour that brings or is likely to bring, the Club or sport into disrepute
 - Behaviour where there is suspicion of harm towards a child or young person

5. CLUB RESPONSIBILITY

We will:

- Make any necessary amendments to the Constitution, rules or other policies to enable the Policy to be enforceable
- Implement and comply with the Policy
- Promote the Policy to everyone involved in the Club
- Promote and model appropriate standards of behaviour at all times
- Respond to breaches or complaints made under the Policy promptly, fairly and confidentially
- Review this policy every 12 to 18 months
- Seek advice from and if necessary or appropriate, refer serious issues to Rowing SA, Rowing Australia or the Police

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, emotional abuse, child abuse) and any other issues that the state or national body request to be referred to them (e.g. conflict of interest)

6. INDIVIDUAL RESPONSIBILITIES

Everyone associated with the Club must:

- Comply with the standards of behaviour outlined in the Policy
- Treat others with respect
- Always place the safety and welfare of children above other considerations
- Be responsible and accountable for their behaviour
- Follow the guidelines outlined in the Policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour

7. PROTECTION OF CHILDREN

7.1 CHILD PROTECTION

The Torrens Rowing Club is committed to the safety and wellbeing of all children and young people accessing our service. We support the rights of the child and will act without hesitation to ensure child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

The Torrens Rowing Club acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. The Torrens Rowing Club aims to continue this and to take measures to protect the safety and welfare of children participating in our sport.

Child abuse involves conduct which puts children at risk of harm and takes a number of different forms including:

- Physical abuse, e.g. deliberately hurting including hitting or punching, providing alcohol or drugs, training that exceeds child's development or maturity
- Sexual abuse, e.g. sexual acts or threats, inappropriate touching or conversations
- Emotional abuse, e.g. ill-treating by threats, humiliation, intimidation
- Neglect, e.g. not providing child with basic necessities (food, drink, clothing), failing to protect a child from foreseeable risk of harm or injury

Torrens Rowing Club will take measures to protect children involved in the Club from harm. We do this by:

- Responding to all reports of abuse promptly, seriously and confidentially
- Comply with state or territory child protection laws and working with children check requirements (see Working with Children Screening Requirements, page 13)
- Carefully selecting and screening people over the age of 16 years who will have regular supervisory contact with children
- Promoting and enforcing our code of behaviour, particularly for roles associated with children
- Making information about child protection available, particularly for roles associated with children
- Adopting practices that provide the maximum opportunity for a child safe environment

Anyone who reasonably suspects, on reasonable grounds, that a child has been, is currently being or at risk of being, abused, within or outside of sport, must report their concerns to the police or relevant government agency without delay and advise the Club President and/or Captain that you have reported your concerns.

South Australia and the Northern Territory are the only states where individuals who work in sport are required by law to report any suspicions they may have that a child or young person is at risk of harm. The remaining states have other professions that are mandatory reporters however, everyone has an ethical responsibility to report suspicions of harm.

7.1.1 IDENTIFY AND ANALYSE RISK OF HARM

The Torrens Rowing Club will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children.

7.1.2 DEVELOP CODES OF CONDUCT FOR ADULTS AND CHILDREN

The Torrens Rowing Club will ensure that the organisation has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation will also implement a code of conduct to address appropriate behaviour between children.

7.1.3 CHOOSE SUITABLE EMPLOYEES AND VOLUNTEERS

The Torrens Rowing Club will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children in prescribed positions.

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.

If a criminal history report is obtained as part of their screening process, the Torrens Rowing Club will ensure that the criminal history information is dealt with in accordance with the standards developed by the Chief Executive, Department for Families and Communities (see Working with Children Screening Requirements, page 13).

7.1.4 SUPPORT, TRAIN, SUPERVISE AND ENHANCE PERFORMANCE

The Torrens Rowing Club will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

7.1.5 EMPOWER AND PROMOTE THE PARTICIPATION OF CHILDREN IN DECISION-MAKING AND SERVICE DEVELOPMENT

The Torrens Rowing Club will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

7.1.6 REPORT AND RESPOND APPROPRIATELY TO SUSPECTED ABUSE AND NEGLECT

The Torrens Rowing Club will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The Torrens Rowing Club will make all volunteers and employees aware of their responsibilities under the Children's Protection Act 1993 if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

If any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code(s) of practice set out they may make an internal complaint (see Responding to Complaints, page 7). This will explain what to do about the behaviour and how the Torrens Rowing Club will deal with the problem.

7.2 SUPERVISION

Members under the age of 18 must be supervised at all times by a responsible adult. The Club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 18 is unsupervised, they should assume responsibility for the member's safety until the parent or guardian or supervisor can be found.

Parents must turn up on time to collect their child for reasons of courtesy and safety.

If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.

7.3 TRANSPORT

Parents and guardians are responsible for transporting their children to and from club activities, e.g. practice and regattas.

7.4 TAKING IMAGES OF CHILDREN

Images of children can be used inappropriately or illegally. The Club requires 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 and ensure that the parent knows the way the image will be used. The Club also requires the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If the Club uses an image of a child, it will avoid naming or identifying the child or it will, wherever possible, avoid using both first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent or guardian. We will not display information about hobbies, likes, dislikes, school, etc. as this information can be

used as grooming tools by paedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

8. ANTI-HARASSMENT, DISCRIMINATION AND BULLYING

Torrens Rowing Club opposes all forms of harassment, discrimination and bullying.

This includes:

- Treating or proposing to treat someone less favourably because of a particular characteristic
- Imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic
- Any behaviour that is offensive, abusive, belittling, intimidating or threatening whether face-to-face, indirectly or via communication technologies such as mobile phone and computers

Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race and marital status.

Torrens Rowing Club takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the Club (see Responding to Complaints, page 7).

9. INCLUSIVE PRACTICES

Torrens Rowing Club is welcoming and we will seek to include members from all areas of our community.

9.1 PEOPLE WITH A DISABILITY

Where possible we will include people with a disability in our teams and club. We will make reasonable adaptations such as modifications to equipment and rules to enable participation.

9.2 PEOPLE FROM DIVERSE CULTURES

We will support and respect people from diverse cultures and religions to participate in the Club and where possible will accommodate requests for flexibility such as modifications to uniforms.

9.3 SEXUAL AND GENDER IDENTITY

All people, regardless of their sexuality, are welcome at the Club. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

9.4 AGE AND ABILITY

All people, regardless of their age and rowing ability, are welcome at the Club. The Club makes every effort to ensure that boats, equipment and coaching of appropriate and adequate standard is available for all squads and members.

9.5 PREGNANCY

Pregnant women should be aware that their own health and wellbeing and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport. We recommend pregnant women consult with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about participation.

10. RESPONDING TO COMPLAINTS

10.1 COMPLAINTS

Torrens Rowing Club takes all complaints about on and off-field 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 that complaint is against (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 Rule 17 of the Torrens Rowing Club Constitution, 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 behaviour to the police and/or relevant government authority and our national body.

10.2 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

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
- Brining 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 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:

- Co-operate 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.

10.3 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 and employment 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 tournaments, 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

10.4 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. Provisions for appeals against decisions made by the Club may be found within the Torrens Rowing Club Constitution.

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.

ATTACHMENT 1: CODES OF BEHAVIOUR

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

- The Rowing South Australia Code of Conduct (as per Section 13 of the Rowing SA By-Laws, detailed in Attachment 2)
- The Rowing Australia General Code of Behaviour (as per Attachment D1 of the Rowing Australia Member Protection Policy)

- Any relevant role-specific Rowing Australia Codes of Behaviour, including:
 - Administrator Code of Behaviour (as per Attachment D3 of the Rowing Australia Member Protection Policy)
 - Coach and Team Official Code of Behaviour (as per Attachment D3 of the Rowing Australia Member Protection Policy)
 - Athlete Code of Behaviour (as per Attachment D4 of the Rowing Australia Member Protection Policy).
 - Technical Official Code of Behaviour (as per Attachment D5 of the Rowing Australia Member Protection Policy).
 - Board or Council Member Code of Behaviour (as per Attachment D6 of the Rowing Australia Member Protection Policy).
 - Parent or guardian Code of Behaviour (as per attachment D8 of the Rowing Australia Member Protection Policy).
 - Spectator Code of Behaviour (as per Attachment D8 of the Rowing Australia Member Protection Policy).

Together, the codes listed above shall comprise the Torrens Rowing Club Code of Behaviour and as such, a breach any of these codes shall constitute a breach of the Torrens Rowing Club Code of Behaviour. Such a breach shall be handled in accordance with the Torrens Rowing Club Member Protection Policy.

All of the afore-mentioned Rowing Australia Codes of Behaviour are detailed within the Rowing Australia Member Protection Policy which is available on the Rowing Australia website at <http://www.rowingaustralia.com.au>.

ATTACHMENT 2: THE ROWING SA CODE OF CONDUCT

A2.1 PURPOSE

1. The purpose of this Code of Conduct (Code) is to declare the type of behaviour, which is encouraged by Rowing SA. This is the behaviour Rowing SA is seeking to promote and encourage rowing Clubs and Schools, their members and supporters, to adopt. In addition to this Code, listed below are some examples of behaviour which shall be deemed by the Board to be “conduct unbecoming” or “conduct not in the interests of Rowing SA and the promotion of its objects”.
2. By listing this information, as well as some examples of behaviour deemed to be unbecoming, the Board, wish to offer clear direction in this area.

A2.2 KEY PRINCIPLES

1. Rowing SA wishes to operate in an environment where people show respect for others and their property. Respect is defined as consideration for another’s physical and emotional wellbeing and possessions, to ensure no damage or deprivation is caused to either.
2. Rowing SA wishes to operate in an environment, which is free from harassment. Harassment is defined as any action directed at an individual or group, which creates a hostile, intimidating or offensive environment.

3. Rowing SA wishes to operate in a non – discriminatory environment. By this we mean where everyone has an equal opportunity and receives a fair go in accordance with the law as well as Rowing SA rules, procedures and guidelines.

4. People to whom this Code applies acknowledge and agree to comply with the grievance procedures adopted by Rowing SA. If any disciplinary action is taken persons directly affected shall be afforded the opportunity to participate in those proceedings and also the right to appeal against a penalty.

A2.3 KEY ELEMENTS

All persons who are bound by this code shall:

1. Not act in a manner unbecoming or contrary to the interests of Rowing SA.
2. Treat people involved in rowing with courtesy, respect and proper regard for their rights and obligations.
3. Treat another person's property with respect and due consideration of its value.
4. Demonstrate a positive commitment to Rowing SA policies, rules and procedures.
5. Not misuse funds or property belonging to another party.
6. Respect the law and customs of the places they visit including foreign countries.
7. Respect the confidentiality of information, which comes to them in the course of their duties.
8. Uphold and not injure or compromise the standing and reputation of rowing within SA.

A2.4 GOVERNANCE

This code shall be known as the Rowing SA Code of Conduct. The Rowing SA Code of conduct shall govern the conduct of all persons associated with rowing within South Australia. In particular it shall apply to and for:

1. Persons acting for and on behalf of Rowing SA.
2. Athletes, Coaches, Managers and support staff of Rowing SA touring teams.
3. Persons participating at sanctioned Rowing SA regattas.
4. Officials, umpires and support personnel assisting or conducting Rowing SA regattas.
5. Delegates to and employees of Rowing SA.

A2.5 UNSUITABLE BEHAVIOUR

This list describes examples of behaviour, which after investigation by the Executive Board (or other body as set out hereafter) and a finding by the Executive Board (or other body as set out hereafter), that such behaviour has occurred, shall be deemed to be unsuitable behaviour and not in the best interests of sport.

1. 'Sledging' other athletes, officials or event organisers.
2. Excessive use of alcohol, acting in a way that becomes a public nuisance, creating a public disturbance.
3. Causing damage to another person's property during the conduct of a regatta or when representing South Australia or depriving them of that property during the defined time frames of a tour within Australia or Internationally.
4. Sexual relations between a coach, manager, support staff and a junior athlete, irrespective of the wishes and desires of the athlete, are absolutely forbidden.
5. Sexual relations between a coach, manager and support staff personnel and an adult athlete on the same team are discouraged and may amount to unsuitable behaviour. Where a long-term relationship exists this should be advised promptly to the team management.
6. The use or encouragement of drugs and banned substances to enhance or inhibit performance. The banned substances list is as outlined under the Rowing Australia Anti-Doping Policy.
7. Statements that are deemed to denigrate the group that an individual is representing.

Harassment, which includes sexual, racial, sexuality, disability, abuse, vilification and discrimination.

ATTACHMENT 3: WORKING WITH CHILDREN SCREENING REQUIREMENTS

Criminal History Assessment or Managing criminal history information of people working with children in South Australia

A criminal history assessment is a decision about whether a person is suitable to work with children based on the person's criminal history, if any, and the assessed risk to children who access services from the organisation.

The Torrens Rowing Club may conduct a criminal history assessment themselves or apply to a third party, such as the State Body or Screening Unit, for an assessment and letter of clearance.

The Torrens Rowing Club undertakes to follow the standards issued by the Department for Families and Communities when conducting criminal history assessments. These Standards are outlined below.

A3.1 IDENTIFYING AFFECTED POSITIONS

The Torrens Rowing Club will conduct an assessment of the criminal history of every person who is, or will be, engaged to work with children in this organisation, its affiliated associations and clubs.

The Torrens Rowing Club has identified coaching positions as roles within the organisation that involve working with children. Should any other roles be filled in which a similar level of responsibility for children is involved the same requirements must be applied and met.

A3.2 PROCEDURES

The Torrens Rowing Club has set out the following policy and supporting procedures for obtaining criminal history reports.

New and Existing Staff, Members and Volunteers:

1. All new and existing staff, members or volunteers selected to fill a prescribed position must obtain National Police Check or present a document that is less than three years old, by making application to the South Australian Police.
 1. The cost of obtaining this check for volunteers will be met by using the Rowing SA Volunteer Organisation Authorisation Number (VOAN). The Torrens Rowing Club will pay for staff to obtain the check however, paid employees are not entitled to a free check.
2. On receipt of the check, the original document must be presented to the Club Captain. In the event the Club Captain is in the prescribed position the check will be presented to the President.
3. Using a 100-point check, the Captain will establish the true identity of the applicant.
4. The document will be assessed and returned to the person as soon as practicable.
5. The criminal history assessment will be repeated every three years or as requested by the Torrens Rowing Club Committee.

A3.3 ACCEPTING “OTHER EVIDENCE”

The Torrens Rowing Club will, in lieu of undertaking a criminal history screening check as set out in Assessing Criminal History Information below, accept the following forms of evidence, obtained within the last three years, to assess a person’s suitability to work with children:

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
- A Letter of clearance to work with children from a CrimTrac accredited agency, such as the DFC Screening Unit, Department of Education and Children’s Services (DECS) or Catholic Education Office

- An interstate working with children check from New South Wales, Queensland, Victoria or Western Australia

Acceptance of any of these checks is subject to the person completing a 100-point check, to enable the Torrens Rowing Club to establish the true identity of the applicant.

The Torrens Rowing Club may also at its discretion seek a statutory declaration for any employee(s) or volunteer(s) who have been citizens or permanent residents of another country other than Australia since turning 18 years of age.

A3.4 ASSESSING CRIMINAL HISTORY INFORMATION

In the majority of cases, a person will have no criminal history. In these cases, the assessment will be successfully completed and no further action in respect to an assessment will be required.

A.3.4.1 OFFENCES THAT INDICATE A PRIMA-FACIE RISK OF HARM

The Torrens Rowing Club believes the following categories of criminal convictions present a prima-facie risk of harm to children.

No person will be considered suitable to be employed, contracted, hired, retained, accepted as a volunteer or allowed to undertake prescribed functions for the Torrens Rowing Club if he or she has been convicted of:

- Murder or sexual assault
- Violence in relation to a child
- An offence relating to child pornography
- An offence involving child prostitution
- A child abuse offence, for example criminal neglect

The following offences potentially indicate unsuitability to undertake prescribed functions.

The Torrens Rowing Club believes that there can be a presumption that there is a risk of harm to children but further assessment is necessary before a decision to exclude a person can be made.

These types of criminal offences include:

- Sexually-motivated offences
- Violence offences or assault including any form of assault which has resulted in a sentence of imprisonment
- Offences relating to cruelty to animals
- Any other offences against a child, including drug offences

In addition, other criminal offences may be relevant to specific, prescribed functions, including: dishonesty offences, serious drug-related matters or serious traffic offences.

None of these offences will automatically preclude an individual from being engaged to undertake prescribed functions.

Any such person will be asked to make further application to the Screening Unit for a more thorough assessment. This cost of this screening check to be met by the applicant

The decision of this process will be deemed to be final and binding on all parties.

A3.5 ENSURING PROCEDURAL FAIRNESS IF A PERSON HAS A CRIMINAL HISTORY

A.3.5.1 EXISTING STAFF, MEMBERS AND VOLUNTEERS

All existing staff, members and volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish, before the assessment is conducted.

Prior to a decision being made, the Torrens Rowing Club will communicate to the applicant a pending decision not to employ or engage them because of their criminal history and the reasons for this decision.

Staff, who are also members of the Torrens Rowing Club, members and volunteers may request that the final assessment be referred to the Screening Unit, if it has not already been done, whose decision shall be final and binding.

A.3.5.2 NEW STAFF, MEMBERS AND VOLUNTEERS

New applicants for employment, membership and volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish before the assessment is conducted.

The Torrens Rowing Club will communicate to the applicant a decision not to employ or engage them or to accept their application for membership. They will not be provided with the reasons for this decision. There will be no appeal to this decision.

A3.6 RECORDS MANAGEMENT

The Torrens Rowing Club will take specific actions to store and record information obtained through conducting a criminal history assessment. This includes taking measures to ensure information is protected and confidentially stored and safeguards to protect against loss, unauthorised access, modification, disclosure or other misuse.

Criminal history information will not be retained once a decision has been made regarding the person's suitability to work with children. No criminal history information will be retained beyond three months.

The Torrens Rowing Club will retain the following information regarding their decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations, where applicable

The attached Criminal History Assessment Form, below, will be used to record this information.

A3.7 EXEMPTIONS FROM THE REQUIREMENT TO CONDUCT CRIMINAL HISTORY ASSESSMENTS

In accordance with guidelines the Torrens Rowing Club has agreed to exempt the following persons from the requirement to undertake a criminal history assessment, unless that person is also involved in a function or event conducted by the Torrens Rowing Club its affiliated associations or clubs which involves the care of children in overnight accommodation.

- A person volunteering in an activity in which their child ordinarily participates
- A person who volunteers who is less than 18 years of age
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month
- A person occupying a position in which all work involving children is undertaken in the physical presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children
- A person who undertakes or a position that only involves, work that is primarily provided to adults or the community generally and is not provided to any child on an individual basis
- An organisation that provides equipment, food or venues for children's parties or events but does not provide any other services to children
- A person who has regular contact with a child as part of an employment relationship with that child, such as a person working alongside a child or supervising an employee who is a child
- A person who is appointed as a police officer or is a registered teacher. Police officers and teachers are already subject to comprehensive criminal history assessments as a prerequisite for employment.

ATTACHMENT 4: PROCESS FOR DEALING WITH MEMBER CHARGED WITH OR UNDER INVESTIGATION FOR, A CRIMINAL OFFENCE

This process sets out the procedure that Torrens Rowing Club will follow in the event that it becomes aware that a member has been charged with or is being investigated for, a relevant criminal offence.

A4.1 GUIDING PRINCIPLE

The paramount consideration is the rights, interests and wellbeing of children and their protection from harm.

A4.2 PROCEDURE

A.4.2.1 RISK ASSESSMENT

In the event that Torrens Rowing Club becomes aware that a member has been charged with or is being investigated for, a relevant criminal offence, the managing authority of Torrens Rowing Club or senior appointed officers shall make a risk assessment of the risk of harm to children and consider taking protective action.

The risk assessment will:

- Be conducted in accordance with the guidelines and principles set out under Standard 5 of the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children
- Recognise that an investigation or charge does not mean that the person is guilty and that the matter needs to be resolved through proper legal avenues
- Consider all matters on an individual basis and include an assessment of all relevant circumstances
- Provide the member an opportunity to make submissions on whether he or she had been charged with an offence warranting some action and what action should be taken
- Be made in accordance with the principles of natural justice and procedural fairness.
- Assessment procedures will be transparent, documented and consistently applied
- Not compromise any police investigations or evidence

A.4.2.2 OUTCOME

Where the outcome of the risk assessment is that protective action is necessary, the Torrens Rowing Club may:

- Control or supervise contact between the member and children
- Prevent contact between the member and children
- Remove the member from duties until the outcome of the investigation or charge is known

- Take any other action that is necessary and reasonable in the circumstances

A.4.2.3 VOLUNTARY REMOVAL OF MEMBER PENDING OUTCOME OF CHARGE OR INVESTIGATION

Where the risk assessment determines that protective action is necessary against a member to safeguard and protect children, Torrens Rowing Club will give the member the opportunity to voluntarily remove themselves from activities until the outcome of the charge or investigation is known.

A.4.2.4 RESOLUTION TO SUSPEND OR REMOVE MEMBER

In the event that the member will not voluntarily remove him or herself from activities until the outcome of the charge or investigation is known, the Torrens Rowing Club will put forward a resolution to the committee to suspend or temporarily remove the member.

The outcome of the resolution will be recorded in the committee's minutes and then implemented.

The outcome recorded in the committee minutes will not contain unnecessary information relating to the investigation or charge or identify, directly or indirectly, any junior members.

A4.3 GLOSSARY

Relevant criminal offence	<p>An offence that indicates a prima-facie risk of harm or that potentially indicates unsuitability to work with children</p> <p>Observing the following principles:</p> <ul style="list-style-type: none"> • People are entitled to be informed of allegations made against them • All persons affected by a decision should be given the relevant information to enable an informed submission to be made to the decision-maker or person subsequently reviewing a decision • During the review of a decision, all persons affected by a decision should have an opportunity to put their case, relevant arguments should be heard and relevant information should be accessible to all parties • Decision-makers act fairly and impartially.
Natural justice	
Offence that indicates a prima-facie risk of harm	Has the same meaning as described under Standard 5 of the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children.
Offence that potentially indicates unsuitability to work	Has the same meaning as described under Standard 5 of the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees

with children

Member

and volunteers who work with children.

A member of the Torrens Rowing Club

**Risk assessment in
the context of child
protection**

A process of evaluating the information received to reach a decision about the risk of harm a person may pose to children'. (Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children).