



Child Safe Standards

CHILD SAFE POLICY

Date created	October 2022
Audience:	Hobsons Bay Yacht Club (HBYC)
Version:	November 2024
Purpose of Document:	<p>HBYC is committed to child safety and is dedicated to children being safe, happy and empowered. HBYC supports and respects all children regardless of ethnicity, sexuality, race or ability as well as staff and parents.</p> <p>HBYC is committed to:</p> <ul style="list-style-type: none"> • embedding and promoting a culture of child safety. • preventing child abuse and identifying risks early and removing and reducing these risks. • protecting the rights of all children to be safe, without fear of abuse or exploitation as outlined in the United Nations Convention on the Rights of the Child (1989) and is committed to keeping children safe by all reasonable means. • acting in children's best interests and keeping children safe. • ensuring cultural safety for Aboriginal and Torres Strait Islander children, and children from culturally and/or linguistically diverse backgrounds. • providing a safe environment for children with disabilities. • actively working to empower children; and • regularly training and educating HBYC staff and volunteers on child abuse risks
Important Actions:	<ul style="list-style-type: none"> • All persons to whom this policy applies are responsible for complying with this policy, the HBYC Constitution and Bylaws and all other relevant HBYC policies and procedures. • Any person who believes on reasonable grounds that a child needs protection from any form of child abuse may disclose that information to the Police or report concerns to the Child Protection Crisis Line on 131 278 (24 hours, 7 days a week, toll free within Victoria) contact your local Child FIRST office. • If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty or imprisonment. <i>Refer Policy section 5.5 reasonable grounds for belief.</i>
Review:	Annually
HBYC Nominated Contact:	The HBYC Nominated Contact Person for this Policy is Rod Austin. HBYC Club Manager Ph: 0477522750.

Hobsons Bay Yacht Club (HBYC)

CHILD SAFE POLICY

1. INTRODUCTION

- 1.1. HBYC is committed to ensuring that children and young people who participate in its activities have a safe and happy experience-HBYC supports and respects children, young people, staff, volunteers and participants.
- 1.2. The aim of HBYC's Child Safe Policy (the Policy) is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints will be treated seriously and fully investigated and handled with maximum confidentiality and discretion.

2. POLICY STATEMENT

- 2.1. HBYC is committed to providing the highest level of safety for all involved with sailing. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering the HBYC's activities while acting in the best interests of children in the sport.
- 2.2. Specifically, HBYC considers that the health, safety and well-being of children take priority over all other competing considerations. HBYC considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, HBYC and its members.
- 2.3. HBYC is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation etc.
- 2.4. Child protection is a shared responsibility between HBYC its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers and members of the Hobsons Bay community. Everyone that participates in HBYC's activities is responsible for the care and protection of children, and reporting information about child abuse.
- 2.5. HBYC supports the active participation of all children. It listens to their views, respects their views and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety). Some of the ways in which sailing empowers children are:
 - Safety on the water
 - Responsibility of a boat
 - Self confidence
 - Understanding weather
 - A sense of adventure
 - Promotes fitness
 - Fun activity
- 2.6. HBYC is-committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.
- 2.7. HBYC promotes fairness and consideration for all staff, volunteers and participants. For further details please refer to the HBYC Code of Conduct Policy

3. SCOPE

- 3.1. This Policy applies to everyone involved in or connected to sailing, including (but not limited to) participants, parents, spectators, contractors, officials, coaches, judges and staff throughout all HBYC events and activities.

3.2. This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with HBYC.

4. CHILD SAFE STANDARDS, REGULATORS & LEGISLATIVE REQUIREMENTS

There are 11 Child Safe Standards. These Standards commenced on 1 July 2022 and replace the Child Safe Standards that were established in 2016. The Child Safe Standards aim to protect children and young people, by requiring organisations to put policies, procedures and processes in place to prevent and respond to abuse. They aim to make keeping children and young people safe a key focus of organisations in Victoria.

The Child Safe Standards help HBYC to:

- Promote the safety of children
- Prevent child abuse
- Ensure effective processes are in place to respond to and report allegations of child abuse
- Encourage children to 'have a say', especially on issues that are important to them or about decisions that affect their lives.

A new regulatory framework for the Child Safe Standards started on 1 January 2023. The framework provides regulators of the Standards with:

- contemporary graduated monitoring and enforcement powers
- improved information sharing powers.

This aids regulators to respond to risks of child abuse and breaches of the Standards.

Victorian Child Safe Standard regulators

- Social Services Regulator
- Department of Health
- Department of Education and Training
- Wage Inspectorate Victoria
- Victorian Registration and Qualifications Authority
- Commission for Children and Young People (CCYP)

Major child protection legislation in Victoria, objectives, functions and powers are outlined in the Commission for Children and Young People Act 2012 and the Child Wellbeing and Safety Act 2005.

In addition, protecting the rights of all children to be safe, without fear of abuse or exploitation is outlined in the United Nations Convention on the Rights of the Child (1989).

5. DEFINITION OF CHILD

Child means a person involved in the activities of Hobsons Bay Yacht Club (including athletes) and under the age of 18 years unless otherwise stated under the law applicable to the child (e.g., for the purposes of child sexual offences in Victoria, a "child" refers to a person under the age of 16 years).

6. RECOGNISING AND REPORTING CHILD ABUSE

- 6.1. A person may, while participating in the sport or other activities of HBYC or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.
- 6.2. If a person is concerned about an immediate risk to a child's safety, the person must phone Victoria Police on "000" as soon as practicable.
- 6.3. Specific types of **Child abuse** include:

- 6.3.1. **Physical abuse** occurs when a child has suffered, or is likely to suffer, significant Harm as a result of a physical injury, such as a non-accidental physical injury.
- 6.3.2. **Sexual abuse** occurs when a child has suffered, or is likely to suffer, significant Harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.
- 6.3.3. **Grooming** happens when a perpetrator of Abuse builds a relationship with a Child with a view to abusing them at some stage.
- 6.3.4. **Emotional and psychological abuse** occurs when a child has suffered, or is likely to suffer, emotional or psychological Harm of such a kind that the child's emotional or intellectual development is or is likely to be significantly damaged; and
- 6.3.5. **Neglect** occurs when a child's physical development or health has been or is likely to be significantly damaged. It refers to an omission, such as depriving a child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

6.4. Reasonable grounds for belief

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

- the child needs protection.
- the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
- the child's parents are unable or unwilling to protect the child.

6.4.2. To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there is any other related matters known regarding the alleged perpetrator.

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

6.4.4. You will have reasonable grounds to notify if:

6.4.4.1. a child states that they have been physically or sexually abused.

6.4.4.2. a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves).

6.4.4.3. someone who knows a child states that the child has been physically or sexually abused.

6.4.4.4. professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or signs of abuse lead to a belief that the child has been physically or sexually abused.

6.5. Reporting Child Sexual Abuse

6.5.1. If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of imprisonment.

6.6. HBYC Approach to Reports of Abuse

- 6.6.1. HBYC supports the person reporting to the Police or relevant authority if they form a belief on reasonable grounds that a child needs protection, or they are concerned about the safety, health or wellbeing of a child.
- 6.6.2. If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the nominated person. If in doubt, ask for assistance.
- 6.6.3. HBYC will cooperate with the directions of the Police, CCYP and/or ~~DH~~ relevant authority in relation to any investigation conducted by these authorities.
- 6.6.4. HBYC will keep a register of any allegations regarding inappropriate conduct.

7. HBYC RECRUITMENT AND SCREENING

- 7.1. The minimum standard for background checks of employees, contractors and volunteers of HBYC and its members is the law as it applies in Victoria.
- 7.2. HBYC undertakes a comprehensive recruitment and screening process for all staff, contractors and volunteers which aims to:
- 7.2.1. promote and protect the safety of all children who participate in the activities of HBYC.
 - 7.2.2. all HBYC staff and Committee members require a WWCC; and
 - 7.2.3. the following key event personnel must have a valid WWCC:
 - those paid by HBYC for their services
 - volunteers with regular roles in HBYC.
 - relevant contractors who may have unsupervised access to children; and
 - anyone else who HBYC staff feel requires a WWCC due to the nature of the work that they are undertaking for HBYC.
- 7.3. Once engaged, HBYC will provide staff and volunteers with access to this policy and staff and volunteers must review and acknowledge their understanding of this policy.

8. POLICY BREACHES

Any complaints with respect to this Policy shall be directed to any Flag Officer, General Committee present or the most senior staff member on duty at the time. If, after investigation by the General Committee, a member is found to have breached this Policy, disciplinary action may be taken under Division 2, Clause 3.15 of the HBYC Constitution.

9. REVIEW PROCESS

This policy will be reviewed by the Hobsons Bay Yacht Club General Committee on an annual basis.

This Policy was approved by the HBYC General Committee on 18th November 2024.
