



CAIRNS BASKETBALL INCORPORATED

CHILD AND YOUTH PROTECTION POLICY

27 July 2022

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A. Purpose of Policy

- a) This policy sets out obligations and expectations of people working or volunteering with Cairns Basketball Inc. (CBI) to actively protect children and to report suspected or actual offences against children in the care, supervision, or control of CBI.
- b) The *Working with Children (Risk Management and Screening) Act 2000* and the *Working with Children (Risk Management and Screening) Regulation 2011* require regulated organisations, such as CBI, to develop and implement a Child and Youth Risk Management Strategy (CYRMS).
- c) Additionally, since 5 July 2021 it has been a criminal offence in Queensland for any adult in a position of power or responsibility in an institution (including sporting organisations) to fail to protect a child from sexual offences and/or fail to report sexual offences against children (*sections 229BB – 229BC, Criminal Code Act 1899*). This applies to sexual offences that you believe (or should reasonably believe) are taking place or have taken place. It does not apply to suspicions of possible future offences.
- d) An adult is defined as an employee, a volunteer, or any person engaged with CBI who would require a Blue Card or delivers a service to a child under CBI's care, supervision or control.
- e) CBI is committed to creating a safe and supportive environment for all, as such the organisation has embedded a culture of child and member protection in all we do.
- f) CBI, as a member of Basketball Queensland (BQ), is bound by BQ's Constitution and By-Laws. BQ has adopted the [Basketball Australia Member Protection Policy](#) which details our commitment to child and member protection. The Basketball Australia Member Protection Policy contains Position Statements and Codes of Behaviour outlining the expected standards for all stakeholders.

2 Commencement of this Policy

- a) This Policy will commence on 27 July 2022. It replaces all earlier Child and Youth Risk Management Strategies (if any).

3 Our Capability

- a) CBI demonstrate our capability to enact our commitment to child and member protection by having rigorous human resource policies enabling us to recruit staff who will contribute to a creating a safe and supportive environment and manage staff to ensure expected standards of behaviour are upheld.
- b) This capability is evidenced with the following policies:
 - i. Bullying and Harassment Policy
 - ii. Anti-Discrimination Policy
 - iii. Staff Leave Policy
 - iv. Code of Conduct
 - v. Drugs and Alcohol Policy
 - vi. Email and Internet Usage Policy
 - vii. Staff Social Media Policy
 - viii. Workplace Grievance Policy

4 Breaches and Complaints

- a) Those who breach the Basketball Australia Member Protection Policy and/or the CBI Child and Youth Risk Management Strategy will be subject to disciplinary measures as detailed within the Basketball Australia Member Protection Policy.
- b) Any person who fails to comply with legal requirements to protect children from sexual offences or fails to report sexual offences against children to the police is potentially guilty of a criminal offence. Nothing in this policy is intended to limit the onus on the individual to take immediate action to comply with the law in relation to sexual offences.
- c) Any person (a complainant) may report a complaint about a person, people or organisation who are bound by the CBI Constitution, its By-Laws, and Policies (the respondent) if they feel they have been harassed, bullied, or discriminated against.
- d) Only matters that relate to, or which occurred while involved in activities under the auspices of CBI will be dealt with by CBI. Complaints that relate to activities or personnel under the auspices of another association must be referred to that association.
- e) All complaints will be processed in the manner set out in the Basketball Australia Member Protection Policy.
- f) If the complainant decides to lodge a complaint with CBI, they can do this by contacting the CBI General Manager or the CBI President if the matter involved the CBI General Manager
- g) Lodging a complaint with BQ:
 - (i) If the complainant decides to lodge a complaint with BQ, they can do this on-line using this [LINK](#).
 - (ii) The complainant may also call BQ on 07 3377 9100 to discuss the matter.
- h) Lodging a complaint with Basketball Australia anonymously through the Basketball Australia Stopleveline which is available using this [LINK](#).

5 Managing Concerns

CBI has procedures in place for staff to assist them to identify and report a disclosure or suspicion of harm set out in Appendix C of this document.

6 Consistency

- a) In order to ensure compliance with the Blue Card system and this Child and Youth Risk Management Strategy (CYRMS), CBI has a Blue Card Policy and Procedure in place (Appendix A of this document) and maintains an Employee Register (a written record of all paid employees and volunteers involved in child-related activities within CBI).
- b) Paid staff of CBI receive training on the CYRMS at their Induction and regular ongoing training. Reference to the CYRMS is also included within staff position descriptions.
- c) Children and young people within the organisation are made aware of their rights and obligations via team/squad member agreements (for those in representative teams) and via CBI's range of digital communication (website and social media).
- d) Parents, Members, and the general public are made aware of our commitment to child and member protection via CBI's range of digital communication (website and social media).
- e) CBI has rules in place for the management of teams and accommodation:

- (i) Coaches are not to communicate with players who under the age of 18 on a one-to-one basis. That is, electronic communication must be to the group and in-person discussions must be in the presence of someone else.
- (ii) When booking accommodation all bookings for teams must allow for all players to have a bed of their own and not share a bed with anyone else.
- (iii) An adult must share an apartment with players under the age of 18, but sleep in a separate bedroom within the apartment. Adults may share this bedroom with their own child.

7 Support Mechanisms

- a) Staff are encouraged to immediately direct all matters to the CBI General Manager who can be contacted via email at gm@cairnsbasketball.com or by phone at 07 4041 2145. The CBI General Manager will manage the recording and reporting process in conjunction with legal counsel. This is to ensure integrity and minimise potential trauma to staff. If required, external counselling will be made available for staff affected.

8. Blue Card Policy and Procedure

B. Who needs a Blue Card?

- a) CBI is obligated under the blue card system:
 - (i) not start a person in child-regulated work without a valid card take reasonable steps to confirm the card holder's identity.
 - (ii) link a card holder when they start with CBI.
 - (iii) de-link a card holder when they leave CBI.
 - (iv) maintain a register of the people engaged in child-related activities at CBI.
 - (v) Inform Blue Card Services when there is a change to CBI's information.

- b) It is CBI policy that the following people who are over 18 years old or older must hold a blue card or exemption Card before the start in child-related activities:
 - (i) All CBI staff members.
 - (ii) All members of the CBI Management Committee.
 - (iii) All coaches and other team staff of the CBI representative teams.
 - (iv) All other CBI volunteers
 - (v) Referees.

C. Who is Responsible?

- a) The Blue Card policy is implemented by the CBI Operations Manager, and along with the CBI General Manager, is an authorised contact persons for Blue Card Services who can discuss a person's blue card status.
- b) The Operations Manager will follow all the obligations set out by BlueCard Services available using this [LINK](#).
- c) If the Operations Manager received notices from Blue Card Services that an applicant:
 - (i) Receives a negative notice or is a known disqualified person; or
 - (ii) Has their blue/exemption card cancelled or suspended; or
 - (iii) Has their blue card application withdrawn; or
 - (iv) Has had a serious change in criminal history

They will immediately notify the CBI General Manager who will determine a course of action regarding the person's employment with CBI after seeking advice if required.

D. The Blue Card Process

- a) CBI will comply with the process for applying for a blue card as set out by Blue Card Services which can be viewed using this [LINK](#).

9. Protecting children from sexual offences

E. Failure to protect

- a) A person in a position of power or responsibility in CBI is required to reduce or remove a known risk of sexual offending against a child by an adult associated with CBI.
- b) The categories of potential offenders include:
 - (i) management
 - (ii) employees
 - (iii) volunteers
 - (iv) a person engaged in an activity that requires them to possess a Blue Card
 - (v) a person delivering a service to a child under the care, supervision or control of CBI.
- c) The failure to protect offence applies if you are 18 or older and:
 - (i) know there is a significant risk that another adult also associated with the institution (or who is a regulated volunteer) will commit a sexual offence against a child or children
 - (ii) have the power or responsibility to reduce or remove the risk
 - (iii) wilfully or negligently fail to reduce or remove the risk.

Processes for Disclosures or Suspicions of Harm

Harm is defined as any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. Harm can be caused by physical or emotional abuse or neglect or sexual abuse or exploitation. Staff should familiarise themselves with the information contained in this document, which provides guidance on observable harm as a result of abuse, and other indicators of abuse and neglect.

1. Disclosures of Harm

- a) A disclosure of harm occurs when someone, including a child, tells you about harm that has happened, is happening, or is likely to happen to a child. Members of the CBI staff (including volunteers) may have a child (squad/team member, coaching/refereeing clinic participant, club member, non-participant) disclose harm to them at any time. The concerns could relate to physical, emotional, or sexual abuse or neglect and may start with phrases such as:
 - I. I think I saw....
 - II. Somebody just told me
 - III. I think you should know...
 - IV. I'm know sure what I want you to do but..
- b) The disclosure may refer to an offender who may (or may not) be from the CBI community. The disclosure could be made face-to-face, by phone or by email. It could be a direct and intentional request for assistance or arise during a conversation. The issues of concern could have happened within or outside of the basketball community, recently or in the past.

- c) In every case, CBI wants to assist the child, and a staff member's initial response is important. Staff response in every case of disclosure should be:
- I. Remain calm and listen actively, without interruption or judgement, and be supportive
 - II. Make it clear you believe them, and that CBI wants to assist them
 - III. Be careful not to question the seriousness of the harassment/assault, criticise their choices or take sides.
 - IV. Do not talk about your own or others' experiences of sexual assault or harassment.
 - V. Affirm that disclosure is an important step to take and praise them for taking it.
 - VI. Don't disempower the child – be guided by what they want and need.
 - VII. Advise the child that you need to tell someone else who can help the child.
 - VIII. Document the disclosure clearly and accurately, including time, date, location, persons present, and what the person disclosing said.
 - IX. Do not attempt to investigate or mediate an outcome.
 - X. If the staff member believes the child is in immediate danger or a life-threatening situation, they should immediately contact the Queensland Police Service by dialling 000. It is a legal requirement to report a reasonable belief of sexual abuse of a child.
 - XI. Ensure the child is safe and provide them with referral resources.
- d) Staff should contact the CBI General Manager or the CBI President with the disclosure of harm immediately after receiving the disclosure. The CBI General Manager will seek legal advice and act accordingly. Staff who received the disclosure of harm will be offered the opportunity to debrief with the CBI General Manager and access external support services should they be required.

2. Suspicions of Harm

- a) A suspicion of harm is when someone has a reasonable suspicion that a child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm.
- b) Members of the CBI staff (including volunteers) may suspect a child (squad/team member, coaching/refereeing clinic participant, club member, non-participant) has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm. A staff member would suspect harm if:
- I. A child or young person tells you they have been harmed;
 - II. Someone else, for example, another child, a parent or an employee tells you that harm has occurred or is likely to occur;
 - III. A child or young person tells you they know someone who has been harmed (they may be referring to themselves)
 - IV. You are concerned at significant changes in the behaviour of a child or young person or the presence of new, unexplained, or suspicious injuries; or
 - V. You see the harm happening.
- c) If a staff member suspects harm they should:
- I. Where sexual in nature, report the matter to the police.
 - II. Remain alert to warning signs or indicators.
 - III. Pay close attention to changes in the child's behaviour, ideas, feelings.
 - IV. Make written notes of observations in a non-judgemental and accurate manner.

- V. Assure the child they can come to talk whenever they need to.
 - VI. Advise the CBI General Manager or the CBI President, of their suspicions as soon as possible.
- d) Upon receiving a disclosure or a suspicion of harm, the CBI General Manager will, in conjunction with legal advice:
- I. Where sexual in nature, ensure the matter has been reported to the police.
 - II. In other matters, consider whether the disclosure or suspicion needs to be reported to the police; or
 - III. Consider whether the disclosure or reasonable suspicion of harm needs to be reported to Child Safety; or
 - IV. Consider whether referral is required to other support services include Family and Child Connect.
- e) Any additional investigation required to reach a decision on the appropriate reporting action will be undertaken by the CBI General Manager (or a delegate) and legal counsel.

TYPES OF ABUSE: Actions/Behaviours by Perpetrators

Physical Abuse	Psychological or Emotional Abuse	Neglect	Sexual Abuse or Exploitation
<ul style="list-style-type: none"> • Hitting • Shaking • Biting • Burning/scalding • Causing bruise or fractures by excessive discipline • Poisoning • Giving children alcohol, illegal drugs or inappropriate medication • Domestic and family violence 	<ul style="list-style-type: none"> • Scapegoating • Persistent rejection or hostility • Constant yelling, insults or criticism • Cultural affronts • Teasing/bullying 	<ul style="list-style-type: none"> • Not giving a child sufficient food, housing, clothing, enough sleep, hygienic living conditions, health care and adequate supervision • Leaving children unattended • Children missing school 	<ul style="list-style-type: none"> • Kissing or holding a child in a sexual manner • Exposing a sexual body part to a child • Exposing children to sexual acts or pornography • Making obscene phone calls or remarks to a child • Having sexual relations with a child or young person under 16 years of age

RESULTING HARM: Impact experienced by the Child

Physical	Psychological	Emotional
Refers to the Body	Refers to the Mind and Cognitive Processes	Refers to the Ability to Express Emotions
<ul style="list-style-type: none"> • Bruising • Fractures • Internal injuries • Burns 	<ul style="list-style-type: none"> • Learning and developmental delays • Impaired self-image 	<ul style="list-style-type: none"> • Depression • Hypervigilance • Poor self-esteem • Self-harm • Fear/anxiety

GENERAL INDICATORS OF CHILD ABUSE

- Showing wariness and distrust of adults
- Rocking, sucking, or biting excessively
- Bedwetting or soiling
- Demanding or aggressive behaviour
- Sleeping difficulties, often being tired and falling asleep
- Low self-esteem
- Difficulty relating to adults and peers
- Abusing alcohol or drugs
- Being seemingly accident prone
- Having broken bones or unexplained bruising, burns or welts in different stages of healing
- Being unable to explain an injury, or providing explanations that are inconsistent, vague, or unbelievable
- Feeling suicidal or attempting suicide
- Having difficulty concentrating
- Being withdrawn or overly obedient
- Being reluctant to go home
- Creating stories, poems, or artwork about abuse.

GENERAL INDICATORS OF NEGLECT

- malnutrition, begging, stealing or hoarding food
- Poor hygiene, matted hair, dirty skin or body odour
- Unattended physical or medical problems
- Comments from a child that no one is home to provide care
- Being constantly tired
- Frequent lateness or absence from school
- Inappropriate clothing, especially inadequate clothing in winter
- Frequent illness, infections or sores
- Being left unsupervised for long periods.

This is not a complete list of the types of abuse and resulting harm that may be experienced by children and young people. It is to be used as a predictive tool for potential signs of harm. Each child's experience is different and depends on a range of factors including the child or younger person's age, the nature of harm, how long the abuse has been occurring, their relationship to the abuse