



ART OF DEFENCE AUSTRALIA

Art of Defence Australia (A.D.A) Child Safety Policy

Updated as at 1/1/2019

All children have the right to feel safe and to be safe all of the time. The welfare of the children at our Martial Arts school will always be our first priority, we have zero tolerance to child abuse and we aim to create a child safe and child friendly environment.

Introduction

ADA is committed to promoting and protecting the interests and safety of children. Everyone working at ADA is responsible for the care and protection of children and reporting information about child abuse.

Purpose

The purpose of this policy is:

1. To facilitate the prevention of child abuse occurring within ADA
2. To work towards an organizational culture of child safety
3. To prevent child abuse within ADA
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse
7. To provide assurance that any and all suspected abuse will be reported and fully investigated

Policy

ADA is committed to promoting and protecting at all times the best interests of children involved in its programs.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation or family or social background, have equal rights to protection from abuse.

Child protection is a shared responsibility between ADA, all employees, workers, contractors, associates and members of the ADA community.

ADA supports and respects all children, staff and volunteers. ADA is committed to the cultural safety of Aboriginal and Torres Strait Islander children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

If any person believes a child is in immediate risk of abuse, telephone 000.

Duty of Care

Coaches are held to a high standard of care in relation to students. The duty requires coaches to take reasonable steps to minimize the risk of reasonably foreseeable harm, including:

- Ensuring the business complies with the Child Safe Standards
- Provision of suitable and safe premises
- Provision of an adequate system of supervision
- Implementation of strategies to prevent bullying
- Ensuring that medical assistance is provided to a sick or injured student
- Managing employee recruitment, conduct and performance

The duty is *non-delegable*, meaning that it cannot be assigned to another party

Whenever a coach-student relationship exists, coaches have a special duty of care. Coaches are expected to take such measures as are reasonable in the circumstances to protect a student under their charge from reasonably foreseeable risks of injury.

Procedures

RESPONSIBILITIES

ADA has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. ADA is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The Directors of ADA are responsible for:

- Dealing with and investigating reports of child abuse
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organizational policies and procedures, and the organisations Code of Conduct
- Ensuring that all adults within the ADA community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct
- Providing support for staff, contracts and volunteers in undertaking their child protection responsibilities

All Senior Staff must ensure that they:

- Promote child safety at all times
- Assess the risk of child abuse within their area of control and minimize any risk to the extent possible
- Educate employees about the prevention and detection of child abuse
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities

Senior Staff should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct

All staff, volunteers and contractors share in the responsibility of the prevention and detection of child abuse and must:

- Familiarize themselves with the relevant laws, the Code of Conduct, and ADA's policy and procedures in relation to child protection, and comply with all requirements
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the state-based child protection service) and fulfill their obligation as mandatory reports
- Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organization)
- Provide an environment that is supportive of all children's emotional and physical safety

Definitions

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (eg. For financial gain) or other exploitation of a child and includes any actions that result in actual or potential harm to a child

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with a child

Reasonable grounds for belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator

A reasonable belief is formed if a reasonable person believes that

1. The child is in need of protection
2. The child has suffered or is likely to suffer “significant harm as a result of physical injury”
3. The parents are unable or unwilling to protect the child

A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation

A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a ‘reasonable belief’ might be formed if:

- A child states that they have been physically or sexually abused
- A child states that they know someone who has been physically, or sexually abused (sometimes the child may be talking about themselves)
- Someone who knows a child states that the child has been physically or sexually abused
- 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
- Signs of abuse lead to a belief that the child has been physically or sexually assaulted

Employment of New Personnel

ADA undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the organization
- Identify the safest and most suitable people who share ADA’s values and commitment to protect children
- Prevent a person from working at ADA if they pose a risk to children

ADA requires all workers and volunteers to pass through the organisation’s recruitment and screening processes prior to commencing their engagement with ADA.

ADA may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at ADA and during their time with ADA at regular intervals.

Once engaged, workers and volunteers must review and acknowledge their understanding of this Policy and agree to and sign the ADA code of conduct.

Risk Management

ADA and staff will ensure that child safety is a part of its overall risk management approach

Reporting

Any staff member, volunteer or contractors who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise the Directors about their concern.

In situations where the coach is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Review

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisations care. ADA will maintain a policy review schedule. Staff will be advised via staff meetings when a review of the policy is due. Staff will be actively engaged in the review process. The ADA community will be notified of any review via the newsletter and on the website. Parents and community members will be encouraged to make any suggestions and contributions to the review process. Review outcomes will be noted in the newsletter and on the website. If any amendments have been made the amended policy will be posted on ADA's website.

Strategies for creating a Child Safe Environment

In the dojos (training venues):

In the dojos, coaches will include activities that will support the development of both formal and informal situations:

- Self confidence
- Self esteem
- Assertiveness skills
- Building positive relationships
- Identifying feelings
- Valuing difference
- Developing vocabulary
- Trust and respect

Training:

All mandated staff will complete the E Learning Module provided by the Department of Education annually

All other staff and volunteers will complete the module to ensure that ADA has a consistent approach to recognizing and reporting incidences of abuse

Professional Development will be provided at ADA regarding:

- Identification of risk
- Identification of children at risk
- Mandatory reporting – obligations and procedures
- Duty of care

Code of Conduct for Employees, Volunteers and Contractors Working with Children and Young People

All children have the right to feel safe and to be safe all of the time. The welfare of the children at our martial arts school will always be our first priority and we have zero tolerance to child abuse and we aim to create a child safe and child friendly environment.

Management, staff, volunteers and contractors at ADA are required to abide by this Code

Under the Directors, coaches will:

1. Be responsible for the overall welfare and wellbeing of staff and volunteers
2. Be accountable for managing and maintaining a duty of care towards staff and volunteers
3. The Directors shall be nominated as ADA's Child Protection Officer to provide information and support to all staff, volunteers, children, young people and their carers regarding child protection matters.

All people involved in the care of children of behalf of ADA will:

1. Have a current Working With Children's Check (WWCC)
2. Work towards the achievement of the aims and purposes of the organization
3. Be responsible for relevant administration of programs and activities in their area
4. Maintain a duty of care towards others involved in these programs and activities
5. Establish and maintain a child-safe environment in the course of their work
6. Be fair, considerate and honest with others
7. Treat children and young people with respect and value their ideas and opinions
8. Act as positive role models in their conduct with children and young people
9. Be professional in their actions
10. Maintain strict impartiality
11. Comply with specific organizational guidelines on physical contact with children
12. Respect the privacy of children, their families and teachers/carers and only disclose information to people who have a need to know
13. Maintain a child-safe environment for children and young people
14. Operate within the policies and guidelines of ADA
15. Contact the police if a child is in immediate risk of abuse (telephone 000)

No person shall:

1. Shame, humiliate, oppress, belittle or degrade children or young people
2. Unlawfully discriminate against any child
3. Engage in any activity with a child or young person that is likely to physically or emotionally harm them
4. Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves
5. Be alone with a child or young person unnecessarily and for more than a very short time
6. Develop a 'special' relationship with a specific child or young person for their own needs
7. Show favouritism through the provision of gifts or inappropriate attention
8. Arrange contact, including online contact, with children or young people outside of the organisations programs and activities
9. Photography or video a child or young person without the consent of the child and his/her parents or guardian

10. Work with children or young people while under the influence of alcohol or illegal drugs
11. Engage in open discussion of a mature or adult nature in the presence of children
12. Use inappropriate language in the presence of children
13. Do anything in contravention of the organisations policies, procedures of this Code of Conduct

What happens if you breach this Code of Conduct?

If you breach this Code of Conduct you will face disciplinary action, including and up to termination of employment or cessation of engagement with ADA.

I have read and understand the ADA Code of Conduct
I agree to abide by the ADA Code of Conduct

NAME: _____

DATE: _____

SIGNATURE: _____



ART OF DEFENCE AUSTRALIA



Art of Defence Australia (A.D.A) Pty Ltd

PARTICIPANT PROTECTION POLICY

Version 2.3

Updated as at 1/1/2019

POLICY

1. Introduction
2. Purpose of this policy
3. Who is bound by this policy?
4. Extent of this policy
5. School responsibilities
6. Individual responsibilities
7. Protection of children
 - 7.1 Child Protection
 - 7.2 Supervision
 - 7.3 Transportation
 - 7.4 Taking images of children
8. Anti-Harassment, Discrimination and Bullying
9. Inclusive Practices
 - 9.1 People with a disability
 - 9.2 People from diverse cultures
 - 9.3 Sexual and Gender identity
 - 9.4 Pregnancy
 - 9.5 Girls playing in boys' teams
10. Responding to complaints
 - 10.1 Complaints
 - 10.2 Complaint handling process
 - 10.3 Disciplinary measures
 - 10.4 Appeals

1. Introduction

ADA is committed to assisting its members to provide an environment that is safe for all to participate in Martial Arts and Self Defence. ADA will not abide any loss of “duty of care” for anyone under the care responsibility and instruction of any instructor or coach in our chosen discipline.

Art of Defence Australia (ADA) :

- Seeks to prevent all forms of harassment, discrimination and abuse and to promote positive behaviour and values
- Will not tolerate inappropriate or unlawful behaviour
- Expects everyone and every organization associated with it to abide by the codes of behaviour set out in this policy
- Will take disciplinary action against individuals and organisations as appropriate if there is a breach of the policy

2. Purpose of this policy

The main objective of our Participant Protection Policy is to maintain responsible behaviour and the making of informed decisions by participants in our school. It outlines our commitment to the person’s right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our school of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our school.

3. Who our policy applies to

Our policy applies to everyone involved in the school including administrators, coaches, officials, players, parents and spectators.

4. Extent of our Policy

Our policy covers unfair decisions and actions, breaches of our code of behaviours and behaviour that occurs at practice, in the event areas, at social events organized or sanctioned by our school (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our school or sport into disrepute or there is suspicions of harm towards a child or young person.

5. School responsibilities

We will:

- Implement and comply with our policy
- Promote our policy to everyone involved in our school
- Promote and model appropriate standards of behaviour at all times
- Respond to breaches or complaints made under our policy promptly, fairly and confidentially
- Review this policy every 2 years
- Seek advice from and refer serious issues to our state body

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (eg. Physical assault, sexual assault, child abuse) and any other issues that our state or national body request to be referred to them.

6. Individual responsibilities

Everyone associated with our school must:

1. Comply with the standards of behaviour outlined in this policy
2. Treat others with respect
3. Always place the safety and welfare of children above other considerations
4. Be responsible and accountable for their behaviour
5. Following the guidelines outlined in this 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

ADA 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 a child safe environment is maintained at all times. We also support the right and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants. ADA acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. ADA aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

7.1.1 Identify and Analyse risk of harm

ADA 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 organization is and to determine what additional strategies are required to minimize and prevent risk of harm to children because of the action of an employee, volunteers or another person.

7.1.2 Develop Codes of Conduct for adults and children

ADA will ensure that the organization 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 organization will also implement a code of conduct to address appropriate behaviour between children.

The code of conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour.

7.1.3 Choose suitable employees and volunteers

ADA will ensure that the organization takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work children (in prescribed positions) This may be achieved using a range of screenings measure. Such measures will aim to minimize the likelihood of engaging (or retaining) people who are unsuitable to work with children.

ADA will ensure that working with children checks/criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law

If a criminal history report is obtained as part of their screening process, ADA will ensure that the criminal history information is dealt with in accordance with relevant state requirements

7.1.4 Support, Train, Supervise and enhance performance

ADA will ensure that volunteers and employees who work with children of 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

ADA 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

ADA will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

ADA will make all volunteers and employees aware of their responsibilities under respective state laws if they have suspicion on reasonable ground that a child has been or is being abuse or neglected.

In addition to any legal obligation, if any person feels another person or organization bound by this policy is acting inappropriately towards a child or is breaching the code of practice set out they may make an internal complaint. Please refer to our complaints procedure outline in this policy. This will explain what to do about the behaviour and how ADA will deal with the problem.

7.2 Supervision

Members under the age of 18 must be supervised at all times by a responsible adult. ADA 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 members under the age of 18 is unsupervised, they should assume responsibility for the member's safety until the parents/guardian or supervisor can be found.

7.3 Transportation

Parents/guardians are responsible for transporting their children to and from activities and training.

7.4 Taking images of children

Images of children can be used inappropriately or illegally. ADA requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of an child that is not their own and ensure that the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If ADA uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information

such a residential address, email address of telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school etc as this information can be used as grooming tools by a pedophile 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

ADA opposes all forms of harassment, discrimination and bullying. This includes training or proposing to treat someone less favorably 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 characteristics; or any behaviour that is offensive, abusive, belittling, intimidation or threatening- whether this be 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.

ADA takes all claims of harassment, discrimination, bully and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with us (See Responding to Complaints).

9. Inclusive practices

9.1 People with disability

Where possible we will include people with a disability. We will make reasonable adaptations (eg. 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 our school

9.3 Sexual and Gender Identity

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

9.4 Pregnancy

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

9.5 Girls playing in boys' teams

If there is not a separate sex competition, ADA will support girls playing in a boys' teams, up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age ADA will consider each request on an individual basis including looking at the nature of our sport and other opportunities to compete.

10. Responding to Complaints

10.1 Complaints

ADA takes all complaints about on and off-field behaviour seriously. ADA 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 the 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 may be escalated to our State Body

If the complain relates to suspected child abuse, sexual assault or other criminal activity, then ADA will need to report the behaviour to police and/or relevant government authority

10.2 Complaint handling process

When a complaint is received, the person receiving the complaint (Eg Director) 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 confidentially but not necessarily anonymity

Once the complainant decides on their preferred option for resolution, ADA will assist, where appropriate and necessary, with the resolution process. This may involved:

- Supporting the person complaining to talk to the person being complained about
- Bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation)
- Gathering more information (Eg from other people that may have seen the behaviour)
- Seeking advice from our district, regional, state and/or national body or from an external agency (Eg State Department of Sport or Anti0Discrimination Agency)
- Referring the complaint to our state association
- Referring the complainant to an external agency such as a community mediation centre, police of anti-discrimination agency

In situations where a complaint is referred to our State association and an investigation is conducted, ADA will:

- Co-operate fully
- Ensure the complainant and respondent are not victimized
- Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent
- Act on our State association's recommendations

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

ADA will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our 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
- Be determined by our Constitution, by Laws that are relevant, and the rules of the game.

Possible measures that may be taken include:

- Verbal and/or written apology
- Counselling to address behaviour
- Withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctions by ADA
- 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 ADA considers reasonable and appropriate

10.4 Appeals

The complainant or respondent can lodge one appeal against decisions of our disciplinary measures imposed by our club to our State association. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measures being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/ADA.

ADA PARTICIPANT PROTECTION DECLARATION

ADA has a duty of care to all those associated with our school. As a requirement of our Participant Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I,(name) of
.....(address) born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence
3. I have not have any disciplinary proceedings brought against me by an employer, sporting organization or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. To my knowledge there is no matter that the school may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me
5. I will notify the Directors of the school immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed

Declared in the *State/Territory* of

On/...../..... (date) Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular

Name:

Signature:

Date: