



# **SAFEGUARDING CHILDREN**

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**CODE OF CONDUCT  
POLICY 2022**





# **SAFEGUARDING CHILDREN - CODE OF CONDUCT**

**KNOX BASKETBALL INC.**

Date: 27<sup>th</sup> June 2022

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## 1. PURPOSE

- (a) As outlined in the Basketball Australia (**BA**) Member Protection Policy (**MPP**), Knox Basketball Inc (**KBI**) and all Australian Basketball Organisations (**ABs**) aim to provide children and young people with a welcoming, safe, and inclusive basketball experience and an environment that promotes their physical, social and emotional wellbeing consistent with the National Principles for Child Safe Organisations.
- (b) The aim of this Safeguarding Children Code of Conduct (**Safeguarding Code**) is to protect the safety of children in an AB's care and prevent abuse from occurring, and if allegations are raised in relation to child abuse or breaches of this Safeguarding Code, to ensure that the allegations are taken seriously and addressed properly with the child's safety and wellbeing at the centre of the response. This Safeguarding Code is part of Basketball's framework of ensuring a culture of child safety and protection exists within all levels of basketball in Australia.
- (c) KBI and all ABs are committed to safeguarding children in our care. KBI and all ABs strive to ensure that children and young people feel safe and are protected from harm. Accordingly, KBI expects all Personnel (as defined in **paragraph 3**) to strive for the highest possible standards with respect to safeguarding children from abuse. KBI has developed these guidelines to identify, and prevent, behaviour that may be harmful to the children and young people in our care.
- (d) The Safeguarding Code has been developed to assist those individuals bound by the MPP to meet their obligations under that policy as they specifically relate to children and to ensure the highest possible standards of conduct when interacting with children. The Safeguarding Code has been formally approved and endorsed by the KBI Board and must be endorsed by each KBI affiliated club.
- (e) The Safeguarding Code should be read in conjunction with:
  - (i) all applicable laws within your respective state / territory in relation to protecting children (and, if working abroad for an AB, all applicable laws within that jurisdiction);
  - (ii) the National Principles for Child Safe Organisations;
  - (iii) the specific requirements of your role as defined in your 'position description' statement;
  - (iv) all relevant policy and procedure documents, including but not limited to, the:
    - (A) Member Protection Policy;
    - (B) Code of Conduct;
    - (C) Social Media Policy;
    - (D) Guidelines for Interacting with Children; and
    - (E) Privacy Policy; and
  - (v) general community expectations in relation to appropriate behaviour concerning children.

- (f) A failure to observe the standards in this Safeguarding Code will be considered a breach of this Safeguarding Code and/or a breach of one of BA's National Policies. Sanctions available to KBI, an AB or a Tribunal in such circumstances include (but are not limited to) suspension, fines, warnings, suspension of KBI coach/official or other professional membership and/or termination of employment. In addition to any of these sanctions, KBI or the AB will (where required) report to the Police all instances in which a breach of the law has, or may have, occurred.
- (g) There may be exceptional situations where this Safeguarding Code does not apply (for example, in an emergency when CPR is required). Personnel are expected to seek (or make all reasonable attempts to seek) management's authorisation prior to taking action that contravenes the Safeguarding Code or advise management as soon possible after any incident in which the Safeguarding Code are breached.
- (h) Should a person wish to make any enquiries in relation to this Safeguarding Children Code, please contact [nathan.sewell@knoxbasketball.com.au](mailto:nathan.sewell@knoxbasketball.com.au).

## 2. POLICY STATEMENT

- (a) KBI is committed to protecting the health, safety, and wellbeing of those who participate in its services, particularly children, and delivering activities with the best interests, safety, and wellbeing of children as a focus.
- (b) Specifically, KBI considers that the health, safety, and well-being of children take priority over all other competing considerations. KBI considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport and KBI.
- (c) KBI has a zero-tolerance approach to child abuse and 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.
- (d) Safeguarding children is a shared responsibility between all basketball stakeholders including KBI, all ABs, and their employees, workers, contractors, associates, parents/guardians, coaches, officials, tournament directors, administrators, spectators, volunteers, and all members of the Basketball community. Everyone that participates in KBI's (or an AB's) activities is responsible for the care and protection of children, and reporting information about child abuse.
- (e) KBI supports the active participation of all children in basketball activities. KBI will listen to their views, respect what they say and involve them in making decisions, where appropriate, especially about matters that will directly affect children (including their safety).
- (f) KBI is also committed to the 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 who participate in KBI's activities.

## 3. APPLICATION - TO WHOM THIS SAFEGUARDING CODE APPLIES

- (a) The Safeguarding Code applies to all people who are bound by the MPP irrespective of whether they are remunerated or not, their role and their level of responsibility (referred to as **Personnel**).

- (b) For ease of reference Personnel includes:
- (i) administrators appointed or elected to boards of directors, executives and/or committees (including sub-committees), including office bearers such as presidents, vice-presidents, treasurers and secretaries and committee members of ABs;
  - (ii) employees, volunteers and contractors of ABs;
  - (iii) officials appointed or elected by an AB in relation to players and/or teams which represent such organisations including team management personnel such as coaches, managers, medical staff, physiotherapists, trainers etc;
  - (iv) basketball coaches (including assistant coaches) who:
    - (A) are appointed and/or employed by an AB (whether paid or unpaid); or
    - (B) are a KBI Coach; or
    - (C) have an agreement (whether or not in writing) with an AB to coach basketball at a facility owned or managed by, or affiliated with that AB;
  - (v) referees, umpires and other officials (e.g., lines persons) involved in the regulation of the game of basketball appointed by an AB;
  - (vi) basketball players who:
    - (A) enter any tournament, competition, activity, or event (including camps and training sessions) which are held or sanctioned by an AB; or
    - (B) are registered with an Affiliated Club as a player and/or member of that Affiliated Club;
  - (vii) any other person who is member of or affiliated to an AB (including Life Members); and
  - (viii) any other person or entity (for example a parent/guardian, spectator, or sponsor) who or which agrees, in writing, (whether on a ticket, entry form or otherwise) to be bound by the Safeguarding Code or the MPP.
- (c) For the avoidance of doubt, this Safeguarding Code does not override or supersede any National Policies or the laws of any State or Territory. Any allegations which give rise to a potential breach of either:
- (i) a National Policy may result in action being taken under that National Policy; or
  - (ii) a State or Territory law may be referred to the relevant State or Territory authority/ enforcement body (i.e., the Police, ACCC, etc).

#### 4. **COVERAGE – WHEN THIS SAFEGUARDING CODE APPLIES**

This Safeguarding Code applies to Personnel:

- (a) during any activity held or sanctioned by or under the auspices of KBI or an Affiliated Club; or
- (b) any time the Personnel is acting in the capacity of their respective role.

## 5. PROCEDURAL OBLIGATIONS

- (a) KBI and Affiliated Clubs must:
  - (i) adopt and comply with the Safeguarding Children Code;
  - (ii) recognise and enforce any penalty imposed under this Safeguarding Code or the MPP, which may result from behaviour which contravenes those documents;
  - (iii) publish, distribute, and promote this Safeguarding Code (and any amendments made to it from time to time) to their members, in the manner required by KBI and upon reasonable request make this Safeguarding Code available for inspection, or copying.
  - (iv) make amendments to any internal policies or guidelines necessary for the Safeguarding Code to be implemented; and
  - (v) ensure that its members adopt the Safeguarding Code thus imposing it on its members' members (e.g., an Affiliated Club imposes the Safeguarding Code on its member clubs on its individual club members).
  - (vi) ensure all persons who are engaged in child-related work have a valid WWC Clearance.
- (b) Affiliated Clubs must use their best endeavours to ensure compliance with the Safeguarding Children Code.
- (c) Personnel are expected to:
  - (i) support the safety and wellbeing of children;
  - (ii) understand the rights of children;
  - (iii) respect the cultural and religious practices of families who access KBI's or another AB's services, programs or events;
  - (iv) understand and appropriately respond to the safety, wellbeing and needs of children with developmental delays or disabilities;
  - (v) take seriously, appropriately act on and respond to any concerns raised by children in a child focused way;
  - (vi) understand the definitions, indicators and impact of child abuse;
  - (vii) know and follow regulations in relation to the care of children;
  - (viii) co-operate with Police and/or other formal investigations to the best of their ability; and
  - (ix) not harm or exploit children who access basketball services.

- (d) Personnel referred to in **paragraph 3(b)(i)** are expected to ensure that child safety and wellbeing is embedded in organisational leadership governance and culture of their AB.

## 6. **RELATIONSHIP BETWEEN THIS CODE AND THE MEMBER PROTECTION POLICY (MPP)**

- (a) Nothing in this Safeguarding Code overrules or supersedes any part of the MPP, any laws of the Commonwealth or any State of Territory or the National Principles of Child Safe Organisations. This Safeguarding Code is intended to support and strengthen the safeguarding children framework within the sport of basketball.
- (b) The MPP sets out what amounts to Child Abuse. Any report or allegation of Child Abuse will be treated with the utmost importance and sensitivity in a child focused way.
- (c) The MPP also sets out important screening requirements for ABs as well as a number of other offences which may relate to children.
- (d) Conduct which may amount to a breach of this Safeguarding Code may also amount to a breach of the MPP.

## 7. **WHAT IS CHILD ABUSE?**

- (a) Child Abuse is defined in the MPP.
- (b) For ease of reference, the forms of Child Abuse in the MPP are replicated below. In particular:
- (c) Child Abuse means any abuse where the offending conduct is against a child, and includes, but is not limited to:
  - (i) *Physical abuse* – abuse by hurting a child or a child’s development (e.g., any physical touching of a child with the application of force including hitting, shaking, kicking or any other physical harm; giving a child alcohol or drugs; a harmful training method that exceeds the child’s development or maturity);
  - (ii) *Sexual abuse* – abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g., sexual intercourse, sexual exploitation, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations);
  - (iii) *Emotional and/or Psychological abuse* – abuse by ill-treating a child (e.g., humiliation, harassment, bullying, taunting, sarcasm, yelling, negative criticism, name calling, ignoring, harmful training methods, or placing unrealistic expectations on a child);
  - (iv) *Neglect* – abuse that arises in failing to provide basic needs (e.g., food, clean water, shelter, adequate supervision, medical attention, clothing, failing to protect a child from danger or a foreseeable risk of harm or injury). Types of neglect include physical, medical, emotional, educational neglect, and abandonment;



- (v) *Grooming* – a term used to describe what happens when a perpetrator builds a relationship with a child with a view to abuse them at some stage. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer (e.g., giving special attention, providing favours, and giving gifts) for the purpose of facilitating sexual activity at a later time; and
- (vi) *Family and Domestic violence* – violence involving a child which is between members of a family or extended family, or those fulfilling the role of family in a child's life. It occurs when a child is forced to live with violence between people in or beyond their place of residence. It can include witnessing violence or the consequences of violence. Exposure to family and domestic violence places children at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

## 8. **RECOGNISING AND REPORTING BREACHES OF THIS CODE AND CHILD ABUSE**

- (a) If Personnel are genuinely concerned that conduct may amount to Child Abuse or a breach of this Safeguarding Children Code, they should speak up.
- (b) More detail on the avenues and procedures of reporting concerns are set out in the following paragraphs.

### 8.1 *Reporting breaches of this Safeguarding Children Code*

- (a) If Personnel are concerned that there has been conduct which breaches or contravenes Section 9 of this Safeguarding Children Code, the reporting procedures outlined in the MPP should be followed.
- (b) For ease of reference, the reporting mechanisms in the MPP are replicated below. In particular, concerns can be reported via:
  - (i) an MPIO of an AB;
  - (ii) the President, or in their absence the nominee, of the relevant AB;
  - (iii) a KBI MPIO or Integrity Officer via email to [welfare@knoxbasketball.com.au](mailto:welfare@knoxbasketball.com.au) or
- (c) Following receipt of the Complaint, the Complaint Recipient must register the Complaint with the KBI MPIO via email [welfare@knoxbasketball.com.au](mailto:welfare@knoxbasketball.com.au).
- (d) A concern must be reported within 14 days of the alleged breach of this Safeguarding Children Code. However, KBI may extend or waive this requirement where it is of the reasonable belief that the circumstances warrant such action. Accordingly, all Complaint Recipients must lodge any report received regardless of when the alleged conduct occurred.
- (e) An alleged breach of the behavioural standards set out in section [10](#) of this Code will be managed in accordance with the complaint management processes set out in the MPP. The alleged breach may be investigated and dealt with in accordance with either Section 12 – Category A of the MPP or Section 13 – Category B of the MPP depending on the of the MPP.

## 8.2 Reporting Child Abuse

- (a) If:
- (i) Personnel suspect or have been provided with information that indicates Child Abuse has/may have or is likely to occur, or
  - (ii) An allegation of Child Abuse has been made to Personnel,
- then it is a mandatory requirement to notify the KBI MPIO (see **paragraph 8.1(b)**), and the Police and/or the relevant state/territory government agency (See ATTACHMENT C - Information for Reporting Allegations of Child Abuse & ATTACHMENT D - State/Territory government agency contact details to report alleged Child Abuse).

The KBI MPIO will assist Personnel with notifying Police and relevant government agencies.

- (b) If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.
- (c) If in any doubt about whether to contact the Police and/or a relevant government agency, please contact the Knox Basketball CEO, Grant Harrison at [grant.harrison@knoxbasketball.com.au](mailto:grant.harrison@knoxbasketball.com.au) and he will assist you to determine whether the matter should be referred to the Police and/or a relevant government agency.
- (d) For the avoidance of doubt, Personnel must notify if:
  - (i) a child states that they have been physically or sexually abused;
  - (ii) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
  - (iii) someone who knows a child states that the child has been physically or sexually abused;
  - (iv) 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
  - (v) signs of abuse lead to a belief that the child has been physically or sexually abused.

## 9. BASKETBALL'S APPROACH TO REPORTS OF CHILD ABUSE

- (a) KBI supports and encourages Personnel to make a report to the Police or government department if they form a belief on reasonable grounds that a child is in need of protection, or they have a concern relating to Child Abuse.
- (b) Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) under this Safeguarding Code will be supported by KBI and will not be penalised or victimised by KBI for making the report.
- (c) 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 their AB's Member

Protection Information Officer for guidance and information. If in doubt, ask for assistance.

- (d) If an allegation is made against an AB's member of staff or a volunteer, KBI will take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working from home, or any other measures deemed appropriate by KBI depending on the gravity of the allegation.
- (e) Allegations of inappropriate conduct against a child will be investigated in a confidential manner to the greatest extent possible.
- (f) KBI will cooperate with the directions of the Police and/or any relevant authority in relation to any investigation conducted by these authorities. Any investigation or procedures set out in this Safeguarding Code may be suspended whilst a Police investigation is ongoing.

## 10. BEHAVIOURAL STANDARDS

The Safeguarding Code address the major areas where Personnel interact with children who take part in basketball in Australia. The Safeguarding Code has been developed to provide clear guidance to all Personnel in relation to the treatment of children within basketball. It is designed to ensure the safety and wellbeing of children and to protect them from abuse and neglect. Acting in accordance with the Safeguarding Code not only protects children but also supports Personnel by providing standards of care that are clear, transparent and practical.

### 10.1 *Sexual misconduct*

Under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of, children participating in any of our basketball services, programs or events.

Engaging in sexual behaviour while participating or delivering in basketball services, programs or events is prohibited, whether consensual or not, and even if the person involved is above the legal age of consent.

This is because the relationship is formed under circumstances of authority and power. Sexual behaviour, involving one person who is in a position of authority, whether consensual or not, may be exploitative because there is a disparity in authority, maturity, status, influence and/or dependence.

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

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

### 10.2 *Positive guidance*

KBI and all ABs require Personnel to use strategies that are fair, respectful, and appropriate to the developmental stage of the children involved. Children need to be provided with a

clear direction of the acceptable limits of their behaviour and given an opportunity to redirect their misbehaviour in a positive manner.

Under no circumstances are Personnel to take disciplinary action involving physical punishment, verbal abuse or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

### 10.3 *Adhering to professional boundaries*

All Personnel must limit contact with children to what is acceptable and appropriate. Acceptable and appropriate boundaries include the following:

- (a) not engaging directly in activities with children who are clients or members of an AB outside authorised basketball services, programs or events;
- (b) not providing any form of support to a child or their family, unrelated to basketball services, programs or events that would be considered to be outside normal community expectations or behaviours; and
- (c) not seeking contact with children (or former participants) outside basketball services, programs or events.
- (d) If any Personnel become aware of a situation in which a child requires assistance that is beyond the confines of that person's role, or beyond the scope of an AB's usual service, they should at the earliest opportunity:
  - (i) refer the matter to an appropriate support agency (see Attachment C);
  - (ii) refer the child to an appropriate support agency;
  - (iii) contact the child's parent or guardian; or
  - (iv) seek advice from management and/or Member Protection Information Officer.

### 10.4 *Uniform or identity card/pass/badge*

Personnel should only wear their uniform and identification while involved in delivering service or as required by an AB, such as when representing an AB at designated functions, to and from work. This enables a child to identify a person of authority who they can approach in times of need.

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

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

- (a) provide clear direction, boost their confidence, encourage or affirm them; and
- (b) not be harmful to children – in this respect, avoid language that is:
  - (i) discriminatory, racist or sexist;
  - (ii) derogatory, belittling or negative, for example, by calling a child a 'loser' or telling them they are 'too fat';
  - (iii) intended to threaten or frighten; or

- (iv) profane or sexual.

#### 10.6 *Supervision*

Personnel are responsible for supervising the children to which an AB provides basketball services, programs or events to ensure those participants:

- (a) engage positively with our basketball services, programs or events;
- (b) behave appropriately toward one another; and
- (c) are in a safe environment and are protected from external threats.

Personnel are required to avoid one-to-one unsupervised situations with children to whom they provide services, and (where possible) to conduct all activities and/or discussions with service recipients in view of other Personnel.

#### 10.7 *Use of electronic communication*

All Personnel are required to follow both the KBI Social Media Policy and KBI Online Systems Terms and Conditions.

KBI and all ABs acknowledge the emergence of new technology and communication media and the benefits that such new technology can offer to all ABs and Personnel. For example, being able to use online and other programs to manage scheduling, teams and competitions.

However, these new technologies also present a fundamental risk to child safety, particularly where electronic messaging platforms can be used to groom or make inappropriate and unsupervised contact with children. Accordingly, Personnel should at all times adhere to the Safeguarding Code when using electronic communication.

As a general rule, email and text messages sent to a child should be copied to their parent, guardian, or carer.

Where it is not possible to include a parent in the communication:

- (a) Restrict such communication to issues directly associated with delivering our basketball services, programs or events, such as advising that a scheduled event is cancelled;
- (b) Limit the personal or social content in such communications to what is required to convey the service-related message in a polite, friendly manner. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature;
- (c) Do not use such communication to promote unauthorised 'social' activity or to arrange unauthorised contact;
- (d) Do not request a child to keep a communication secret from their parents; and
- (e) Do not communicate with children using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging from personal profiles or accounts.

Personnel are required to ensure appropriate monitoring of children when they use KBI's electronic communication equipment to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or through web searches, or inappropriate email communication.

#### 10.8 *Giving Gifts*

KBI and all ABs prohibit Personnel who are involved in the delivery of a basketball service, program or event from giving gifts to children except under the following circumstance:

- (a) the value of the gift does not exceed \$25, and
- (b) the child's parent/s or guardian(s) have been made aware of the gift and consented to it being given.

#### 10.9 *Photographs or video recordings of children*

Personnel are reminded that at all times they must act in accordance with any applicable laws or regulations within their state or territory relating to the capture, storage and dissemination of photographs or video recording of children.

As such, the following guidelines apply:

- (a) Children who receive services must only be photographed by Personnel:
  - (i) while involved in our basketball services, programs or events; and
  - (ii) only if:
    - (A) the child's parent/guardian has granted prior and specific approval;
    - (B) the context is directly related to participation in our basketball services, programs or events;
    - (C) the child is appropriately dressed and posed; and
    - (D) the image is taken in the presence of other Personnel.
- (b) Images are not to be distributed (including as an attachment to an email) to anyone outside the Personnel's AB other than the child photographed or their parent, without management knowledge and approval.
- (c) Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:
  - (i) if in hard-copy form, in a locked drawer or cabinet; or
  - (ii) if in electronic form, in a 'password protected' folder.
- (d) Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.
- (e) Images are not to be exhibited on a website, social media platform or any other publications without parental knowledge and approval, or such images must be presented in a manner that de-identifies the child. Any caption or accompanying text

may need to be checked so that it does not identify a child if such identification is potentially detrimental.

For the avoidance of doubt, **paragraph 10.9** does not prohibit parents from taking photos or videos of their own child.

#### *10.10 Physical contact with children*

Any physical contact with children must be appropriate in the context of delivering basketball services, programs or events, and based on the needs of the child rather than on the needs of our Personnel.

This section does not apply to medically trained Personnel acting in the course of their duties and delivering medical or health services to children as and when required. Under our basketball services, programs or events that:

- (a) involves touching of:
  - (i) genitals;
  - (ii) buttocks; or
  - (iii) breast area.
- (b) would appear to a reasonable observer to have a sexual connotation;
- (c) is intended to cause pain or distress to the child – for example corporal punishment;
- (d) is overly physical – for example, wrestling, horseplay, tickling or other roughhousing;
- (e) is unnecessary – for example, assisting with toileting when a child does not require assistance;
- (f) is initiated against the wishes of the child, except if such contact may be necessary to prevent injury to the child or to others, in which case:
  - (i) physical restraint should be a last resort;
  - (ii) the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child to prevent harm to themselves or others; and
  - (iii) the incident must be reported to management as soon as possible.

Personnel are required to report to the Member Protection Information Officer any physical contact initiated by a child that is sexual and/or inappropriate (e.g., acts of physical aggression) as soon as possible, to enable the situation to be managed in the interests of the safety of the child, our Personnel and any other participants.

#### *10.11 Overnight stays and sleeping arrangements*

Overnight stays are to occur only with the written authorisation of the parents/guardians of the children attending. Additionally, prior written authorisation must be sought from one of the following:

- KBI CEO or designated MPIO staff member; **and**

- Affiliated Club's Committee.

Practices and behaviour by Personnel during an overnight stay must be consistent with the practices and behaviour expected during delivery of an AB's basketball services, programs or events at other times.

Standards of conduct that must be observed by our Personnel during an overnight stay include:

- (a) providing children with privacy when bathing and dressing;
- (b) observing appropriate dress standards when children are present;
- (c) not allowing children to be exposed to pornographic material, which may include, movies, television, internet, magazines or any other form;
- (d) not leaving children under the supervision or protection of unauthorised persons such as hotel staff or friends;
- (e) not involving sleeping arrangements that may compromise the safety of children such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child;
- (f) providing children with the ability to contact their parents, guardians, or others if they feel unsafe, uncomfortable or distressed during the stay and taking immediate steps to address any risks identified by the child; and
- (g) Ensuring that on an overnight stay that:
  - (i) children only share hotel rooms or bedrooms with children of the same gender;
  - (ii) children who are transgender are consulted on their choice of sleeping arrangements; and
  - (iii) there are adequate chaperones present, and any chaperones have been adequately screened, briefed and trained.

#### 10.12 Change rooms

Personnel are required to supervise children in change rooms while balancing that requirement with a child's right to privacy. Personnel need to use their discretion based on the age, developmental stage and needs of the child. In addition:

- (a) Personnel should avoid one-to-one situations with a child in a change room area;
- (b) Personnel are not permitted to dress or undress in the change room area while children (other than their own) are present;
- (c) Personnel need to ensure adequate supervision in 'public' change rooms when they are used;
- (d) Personnel need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's privacy;



- (e) female Personnel are not to enter male change rooms and male Personnel are not to enter female change rooms; and
- (f) Personnel should ensure that no photography of children occurs in a change room.

#### 10.13 *Alcohol and drugs*

Personnel involved in delivering basketball services, programs and/or events involving children must not:

- (a) use, possess or be under the influence of an illegal drug;
- (b) use or be under the influence of alcohol;
- (c) be incapacitated by any other legal drug such as prescription or over-the-counter drugs;
- (d) supply alcohol or drugs (including tobacco) to children participating in our basketball services, programs or events; or
- (e) supply medicines, except with the consent of the parent, guardian, or carer of the child and under a valid prescription for that child and at the prescribed dosage.

Use of legal drugs by Personnel is permitted (except alcohol which is always banned), provided such use does not interfere with their ability to care for children involved in our services, programs and/or events.

#### 10.14 *Transporting children*

Children are to be transported only in circumstances that are directly related to the delivery of our basketball services, programs or events. Children are to be transported only with prior written authorisation from the child's parent/guardian and one of the following:

- KBI CEO or designated MPIO staff member; or
- a member of the Affiliated Club's Committee.

To obtain approval Personnel should provide information about the proposed journey, including:

- (a) the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat;
- (b) details of any insurance and age of the driver (if applicable);
- (c) the reason for the journey;
- (d) the route to be followed, including any stops or side trips; and
- (e) details of anyone who will be present during the journey other than our Personnel who are involved in delivering our basketball services, programs or events.

#### 10.15 *Parent and Guardian Involvement*

Parents and guardians:

- (a) should be involved in any significant signing of documentation in relation to their child's involvement in sport; and
- (b) are responsible for being aware of the standard of behaviour required when watching their child during training; and
- (c) displaying inappropriate conduct may be asked to leave but may not be denied access for an undetermined amount of time.

## 11. REVIEW AND PROMOTION

- (a) The Safeguarding Code will be reviewed on a regular basis. In addition to this regular review, recommendations for changes to the Safeguarding Code may be submitted to TAICU for consideration. If changes are implemented, the Safeguarding Code will be updated via the KBI website.
- (b) The Safeguarding Code will be made available to the public on the KBI website and will be communicated to all Board and staff members of KBI.

## 12. CONTACT

Should a person wish to make any enquiries in relation to the Safeguarding Code or the MPP please contact Grant Harrison, CEO, at [grant.harrison@knoxbasketball.com.au](mailto:grant.harrison@knoxbasketball.com.au).

## 13. DEFINITIONS

Where a term stated below is also defined in the MPP that term will take its meaning from the MPP. These terms have been duplicated below for ease of reference.

**Affiliated Club/s** means those basketball clubs, which are a member of, or affiliated to KBI.

**Australian Basketball Organisations or ABs** refer to KBI and Affiliated Clubs.

**Children** are any individuals under 18 years of age. It is acknowledged that persons under the age of 18 is a broad category of individuals and includes both younger children who do not have the maturity and understanding to make important decisions for themselves as well as older or more experienced children who are more likely to be able to make decisions for themselves. The latter category of children is distinguished by referring to the term "*young people*" where necessary in this Safeguarding Children Code. However, unless otherwise specified, a reference in this Safeguarding Code to a 'child' or 'children' is a reference to any individual under 18 years of age.

**Emotional or Psychological abuse** occurs when a person repeatedly rejects or threatens a child. Often there is a pattern of emotional or psychological abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts, taunting, sarcasm, yelling, negative criticism, placing unrealistic expectations on a child or continual coldness from the caregiver or parent to a wellbeing and development.

**Family Violence** occurs when children are forced to live with violence between adults in their home. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child's life. Exposure to family violence places children at an increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

**Grooming** is a term used to describe what happens when a perpetrator builds a relationship with a child with a view to abuse them at some stage. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer (e.g., giving special attention, providing favours, giving gifts) for the purpose of facilitating sexual activity at a later time.

**Knox Basketball (KBI)** means Knox Basketball Inc (ABN 92522863603).

**Member Protection Information Officer** means a person appointed in accordance with clause 3.2 of the MPP, to act as the first point of contact for any enquiries, concerns or complaints around harassment, abuse and other inappropriate behaviour.

**Member Protection Policy** or **MPP** means the Member Protection Policy published by BA and/or Knox Basketball at [www.knoxbasketball.com.au](http://www.knoxbasketball.com.au) from time to time

**National Principles for Child Safe Organisations** means the principles that give effect to the recommendations of the Royal Commission relating to the child safe standards. They provide a nationally consistent approach to cultivating organisational cultures and practices that foster child safety and wellbeing. A copy of the National Principles for Child Safe Organisations can be downloaded at <https://www.pmc.gov.au/news-centre/domestic-policy/new-website-national-office-child-safety>.

**Neglect** is the persistent failure or deliberate denial to provide a child with the basic necessities of life. (e.g., failing to give adequate food, clean water, adequate supervision, medical attention, shelter, clothing or to protect a child from danger or foreseeable risk of harm or injury).

**Personnel** has the meaning set out in **paragraph 3**.

**Physical abuse** occurs when a person subjects a child to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally, or inadvertently as a result of physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, kicking; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.

**Safeguarding Code of Conduct** or **Safeguarding Code** means this safeguarding children policy as issued by KBI from time to time.

**Sexual abuse** occurs when adults or other children involve a child in any sexual activity. It includes both contact and non-contact behaviour, and when a child is encouraged or forced to watch or engage in a sexual activity, or any other inappropriate conduct of a sexual nature. Examples include sexual intercourse, masturbation, kissing or fondling, oral sex, making sexual comments, engaging children in sexual conversations in-person or via social media, voyeurism (i.e. observing a child in an action that is considered to be of a private nature, such as undressing in a change room), nudity (i.e. an abuser exposing themselves or the child) touching a child's genitals or breasts, encouraging a child to view pornography including child pornography or other inappropriate touching or conversations); and exploiting a child through prostitution.