



# CHILD SAFETY FRAMEWORK USER GUIDE

## Child Safety Framework User Guide

**The following Child Safe resource is provided as a reference only.**

This document and its content is provided as a guide for your organisation as of July 2020. Your organisation should also consider referencing any information, documents and strategies that might be specifically required for your organisation and relevant to its circumstances, structure and operations.

The information contained in this document is general in nature and should not be considered or relied upon as a substitute for legal advice.

**Please note that references in [square brackets] throughout this document should be tailored for your organisation's policies and procedures.**

Cricket Victoria recommends using this resource with due consideration and consulting a child safe expert or legal advisor to assist with any questions.

## Keeping Kids in Cricket safe – our Child Safety Framework User Guide:

The **Child Safety Framework** sets out the responsibilities that we have to Kids in Cricket. It includes:

- Australian Cricket’s Commitment Statement for Safeguarding Children and Young People;
- Australian Cricket’s Policy for Safeguarding Children and Young People;
- Australian Cricket’s Looking After Our Kids Code of Behaviour; and
- Looking After Our Kids Action Plan.

### WHY IS CHILD SAFETY IMPORTANT?

1. We love our game. We want kids to play cricket. Yet kids have to FEEL safe to enjoy cricket and want to keep playing.
2. All kids have a right to feel safe, be involved and have a voice in decisions that affect them\*.
3. Society has changed, and with it, higher standards of behaviour are now expected. Sometimes, even though we have good intentions, others’ *perception* of our behaviour is different. So we want to help you to understand what needs to happen now to protect kids in cricket, as well as to protect you.

### WHAT WE’RE DOING:

1. We’re here to help. Victorian legislation sets out mandatory requirements and standards about child safety. We can’t ignore those. But we want to make it as simple as possible for everyone involved in Cricket in Victoria.
2. We’ve developed these resources that you can call on when you need them. They are in simple language and help direct you on what you have to do and where you can find more help or information. The best place to start to understand all this and keep our kids feeling safe and enjoying cricket is this **Cricket in Victoria Child Safety Framework User Guide**.

### BACKGROUND:

The Child Safety Framework represents best practice processes and procedures to keep kids in cricket safe and is complemented with tools and guidance for all.

The following table sets out the key responsibilities we have under the Child Safety Framework and where to find further detail in the Framework documents and resources.

### KEY:

**CSF or Framework** – Child Safety Framework

**Code of Behaviour** – Australian Cricket’s Looking After Our Kids Code of Behaviour

**CYP** – Children & Young People or “Kids”

**Kids** – People under the age of 18 years

*\*Australian Government National Child Office for Child Safety Complaint Handling Guide: Upholding the Rights of Children and Young People – A Reference Guide, 2019.*

RESPONSIBILITY OR ACTION		RESOURCE	WHEN TO ACTION
1	Fulfil <b>Australian Cricket's Commitment Statement for Safeguarding Children and Young People (CYP)</b> to:		
a)	provide a safe and nurturing environment for kids;	Australian Cricket's Commitment Statement for Safeguarding CYP	Ongoing
b)	take an inclusive approach to our activities; and		
c)	educate people in Cricket about our Child Safety responsibilities.		
2	Fulfil <b>Australian Cricket's Commitment Statement for Safeguarding CYP</b> obligations that include:		
a)	adopting Australian Cricket's policies to keep kids safe;	Australian Cricket's Commitment Statement for Safeguarding CYP	As soon as possible
b)	adhering to the Code of Behaviour to keep kids safe, free from harm, abuse or other inappropriate behavior;	Summary of Australian Cricket's "Looking After Our Kids Code of Behaviour"	Ongoing
c)	making sure that kids are treated respectfully and appropriately with respect to developmental and cultural differences;		Ongoing
d)	respecting & empowering kids, facilitating opportunities to hear their views, provide feedback and be involved in decision making;		Ongoing
e)	ensuring that the Code of Behaviour and associated policies and resources are actively promoted and publicised to all via your website;		As soon as possible
f)	appointing a Child Safety Officer, Member Protection Information Officer or other individual in your cricket organisation to champion child safety. Make sure that this is known to all involved in cricket in your organisation;		As soon as possible
g)	ensuring that kids in cricket know who to approach if they feel unsafe – a Child Safety Officer, a senior person at your club or a trusted adult;		As soon as possible
h)	supporting kids, families and others affected in cricket when child safety concerns arise and throughout issue management;	Looking After Our Kids Action Plan – Checklist for the Adoption of Australian Cricket's Policy for Safeguarding CYP	When concerns arise
i)	communicating to parents/guardians of kids in cricket as to our expectations to keep kids safe in cricket;	Flowchart and Guidance to deal with Child Safety Concerns resources	Ongoing
j)	providing training and support so that people in cricket can fulfil their roles, understand kids' rights and our obligations to kids in cricket; and		Regularly
k)	protecting the privacy of kids & those involved in child safety concerns and asking for consent to disclose information where necessary.		Ongoing
3	Ensure that the Child Safety Framework <b>recruitment and screening</b> requirements are followed regarding background and Working with Children Checks, interviews, advertising, reference checks and proof of identity and qualifications checking.	Recruitment & Screening Checklist, Interview Questions & Reference Check template	When engaging or employing people in cricket (this includes volunteers)
4	Follow <b>Australian Cricket's Looking After our Kids Code of Behaviour</b> regarding supervision, electronic communications, language, adhering to role boundaries, positive guidance, transporting children, change rooms, photographs, physical contact, sexual misconduct, giving gifts, wearing uniforms, overnight stays and use of alcohol or drugs.	Code of Behaviour Code of Behaviour Summary	At all times

5 **Treat child safety complaints** brought to our attention promptly, seriously and with a high degree of sensitivity and confidentiality and then:

<p><b>Contact police</b> where you reasonably believe that kids are in immediate danger of significant harm or are in a life threatening situation;</p>	Complaint Management Guidance resource	As they arise
<p><b>Report any child abuse concerns to the appropriate people in Cricket in Victoria;</b></p>	Flowchart – Managing Child Safety Concerns	
<p>Ensure that:</p> <p>a) <b>matters involving likely or actual sexual abuse</b> of children under 16 years by an adult are reported <u>to police</u>; and/or</p> <p>b) any reasonable belief that a child under 18 years has suffered or is likely to suffer significant harm as a result of abuse (including sexual abuse) or neglect and their parent(s)/guardian(s) has not protected or is unlikely to protect the child from harm of that type, is reported <u>to DHHS</u>; and</p> <p>c) “Reportable Conduct”* is reported <u>to the Victorian Commissioner for Children and Young People</u> within three business days;</p> <p>d) Kids are protected and child safety concerns are raised to Cricket Victoria who will help with appointing a Key Liaison Officer</p>	Victorian Mandatory Reporting of Child Abuse Summary	
<p>Consider the <b>wishes of the Complainant(s)</b> and communicate as appropriate with the Complainant(s), explaining next steps and options to all involved;</p>	Flowchart – Managing Child Safety Concerns	
<p>Ensure that <b>natural justice</b><sup>^</sup> is followed in complaint handling whilst ensuring confidentiality; and</p>	Conversation Tips Resource	
<p>Maintain appropriate <b>records</b> of complaints securely.</p>		

<sup>^</sup> **Natural Justice** (or procedural fairness) is the principle that, when resolving a complaint:

- Both parties to a complaint know the full details as to what has been alleged and have an opportunity to respond;
- All parties are heard and relevant submissions considered; and
- No party can judge their own case and decision makers are unbiased, fair and just.

# **“Reasonable belief”** – a reasonable person in the same position would have formed the same belief on the same grounds.

+ **Sexual Abuse of persons under 16 years** – whilst “kids” or “Children and Young People” are in all other circumstances defined as under 18 years of age in Victoria, this age is different because the legal age of consent to sexual behaviour in Victoria is 16 years of age. “Child sexual assault” in Victoria is therefore a crime against children under the age of 16 years of age and must be reported to POLICE, even if it is not a situation of “immediate danger” or a “life threatening situation”.

\* **“Reportable Conduct”** includes any one or more of the following including where the conduct occurs on Cricket Victoria “declared” overnight camps or stays or if you are employed elsewhere and are required to report in your alternative role:

Sexual offence committed against a child	Sexual misconduct committed against a child
Sexual offence committed with a child	Sexual misconduct committed with a child
Sexual offence committed in the presence of a child	Sexual misconduct committed in the presence of a child
Physical violence committed against a child	Behaviour that causes significant emotional or psychological harm to a child
Physical violence committed with a child	Significant neglect of a child
Physical violence committed in the presence of a child	