



CHILD SAFEGUARDING CODE OF CONDUCT

AUGUST 2023

Basketball Victoria has a zero-tolerance approach to child abuse and discrimination in any form (see Appendix 1 for Definitions of Abuse and the link to Victoria's Equal Opportunity Act at the end of this Code). Basketball Victoria is committed to promoting the safety and wellbeing of children and young people in basketball by providing safe and inclusive environments. As part of this it is important that everyone involved in basketball is informed and aware of their responsibilities to protect and look after children and young people.

The Basketball Victoria Child Safeguarding Code of Conduct (this Code) aims to protect children and young people and reduce any opportunities for abuse or harm to occur. It aligns with Basketball Victoria's Child Safeguarding Policy as well as the Victorian Child Safe Standards to help guide all Basketball Victoria participants on expected behaviour and how to best support children and young people. This Code applies to all people involved in Basketball Victoria's activities, including:

- Any adult involved in basketball.
- Any young person involved in basketball who is in a position of providing guidance, advice or authority to other children and young people.
- For the purpose of this Code, children and young person refers to anyone who is under the age of 18 years of age and involved in any Basketball Victoria or Member Organisation activity.

PROFESSIONAL BOUNDARIES AND SUMMARY OF THIS CODE

All employees and volunteers involved in Basketball Victoria and its Member Organisations must act within the scope of their role.

Basketball employees and volunteers must not:

- Provide transportation to a child or young person unless specifically approved by the child or young person's parent/caregiver.
- Have one on one contact with children or young people outside of basketball activities, including direct contact such as in-person, as well as indirect contact such as by phone or online.
- Engage in open discussions of a mature, adult, or inappropriate nature in the presence of children and young people.
- Provide any form of support to a child or young person or their family unrelated to the scope of their role (for example, financial assistance, babysitting, providing accommodation), where there is no existing social, personal, or family relationship.
- Take or store photos or video footage of children or young people except in accordance with this Code.
- Exhibit any type of favouritism towards a child or young person.
- Give gift/presents to individual children or young people other than the provision of official awards.
- Attend any social function with a child or young person, other than sanctioned basketball activities such as team building activities, where there is no relationship outside of basketball with the child or young person's parents/ caregivers.
- Send or accept any friend requests on social media from children and young people where there is no relationship outside of basketball with the child or young person's parents/ caregivers.
- Discriminate against any child or young person in line with Victoria's Equal Opportunity Act and any other Victorian or Commonwealth Antidiscrimination Legislation. This includes but is not limited to discriminating against someone on the basis of gender identity, cultural identity, religion or disability.
- Use language or behave in a way that could cause pain, fear or embarrassment to a child or young person.
- Taking any children or young people to licensed venues where only patrons over 18 years of age are permitted when a team travels to games/ tournaments and stays overnight.
- Any information regarding children and young people and their families is confidential within Basketball Victoria and relevant Member Organisation. The only exception to this is when information is required to be shared with Victoria Police or other Government Agencies as outlined in this Code or the information is in the public domain.

REPORTING SUSPECTED ABUSE OR INSTANCES OF DISCRIMINATION

Any person that becomes aware of a situation in which a child or young person requires assistance that is beyond the scope of that person's role should undertake any or all of the following at the earliest possible time and within 48 hours:

- Refer the matter to an appropriate government agency including Child Protection or Victoria Police if required.
- Contact the child or young person's parent or guardian, unless they are the person/people of concern. In such circumstances Child Protection should be contacted and will provide advice and guidance.
- Seek advice from Basketball Victoria's Child Safety Advisor.

Every adult involved in basketball has an obligation to respond to and report any incidents of racism or any other form of harassment or discrimination against a child or young person that they witness or that is reported to them by players, parents/ caregivers, referees, or other people associated with basketball. This includes but is not limited to ableism, sexism or discrimination based on gender identity or sexuality. Children and young people have the right to participate in basketball free of racism and other forms of discrimination. Basketball Victoria takes a zero tolerance approach to discrimination in any form.

Basketball Victoria's Reports and Complaints in Basketball Guide and Child Safeguarding Policies are available on our website.

DIVERSITY, EQUITY AND INCLUSION

Basketball Victoria and its Member Organisations acknowledge and celebrates the importance of culture and community for all Aboriginal and Torres Strait Islander children, young people and their families. Acknowledgement, respect and celebration of Aboriginal and Torres Strait Islander culture should be embedded within basketball for the benefit of all of our participants.

Basketball Victoria and its Member Organisations are committed to providing a safe and inclusive

environment where all children and young people can participate. This includes:

- Aboriginal and Torres Strait Islander children and young people;
- Children and young people with a disability;
- LGBTQI+ children and young people and families; and
- Children and young people from culturally diverse backgrounds.

Basketball Victoria and its Member Organisations acknowledge the important role that families and community play in the lives of children and young people. Basketball is a family inclusive sport. People in roles of responsibility must ensure that parents and caregivers are kept properly informed and that basketball environments are safe and welcoming of families and communities.

SEXUAL MISCONDUCT

Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of children and young people.

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

Contact behaviour such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution.

Non-contact behaviour such as flirting, sexual innuendo, inappropriate text or social media messaging, grooming, inappropriate photography or exposure to pornography or nudity.

POSITIVE GUIDANCE AND USE OF LANGUAGE

Always remember that children and young people play basketball for fun.

Basketball Victoria and its Member Organisations employees and volunteers must ensure all children and young people participating in Basketball Victoria and its Member Organisations activities feel safe, included, and supported. This includes but is not limited to ensuring training and other activities are adjusted to ensure that children with a disability can participate meaningfully and that any religious or cultural requirements are considered.

Body language used when interacting with children

and young people should be professional and never involve behaviour that could reasonably be perceived as frightening, aggressive, intended to intimidate, or sexual in nature.

Language and tone of voice used in the presence of children and young people should be encouraging, provide clear direction and boost confidence. Employees and volunteers should give positive and constructive feedback.

Language should:

- Not be harmful; avoid language that is intended or could be perceived as humiliating, frightening or sexual in nature.
- As outlines in the Victorian Equal Opportunity Act and other Victorian and Commonwealth Antidiscrimination Legislation, not be discriminatory; for example the use of racist, sexist, ableist, homophobic or transphobic language is unacceptable under any circumstance.

Children and young people participating in Basketball Victoria activities should be made aware of the acceptable limits of their behaviour. This will help ensure that all participants have a positive basketball experience.

Children and young people need to be provided with clear directions and given an opportunity to positively redirect their behaviour if required.

Physical punishment or any form of treatment that could reasonably be considered as humiliating, frightening or discriminatory is not acceptable under any circumstance. Employees and volunteers must use strategies that are fair, respectful and appropriate to the age and development of the child or young person.

SUPERVISION OF CHILDREN AND YOUNG PEOPLE

Children participating in our basketball programs and activities must be adequately supervised. Supervision must be constant, active and diligent and requires employees and volunteers to always be in a position to observe children and young people in their care, respond to individual needs and immediately intervene if necessary. This level of supervision does not override children and young peoples right to privacy while sleeping or studying on overnight stays or while children and young people are in bathrooms or changerooms.

One-to-one unsupervised situations with a child

should be avoided. If programs or services require unsupervised contact with children or young people, such as the case of physiotherapy or some other medical treatments, this needs to be identified and recorded and consent given by the child and young person and their parent/guardian.

USE OF ELECTRONIC OR ONLINE COMMUNICATIONS

All email, text messages and other messages, including group/team messages sent to a child or young person should include their parents/caregivers.

Communication must:

- Be directly associated with delivering our services, such as advising that training has been cancelled.
- Be concise with personal or social content limited only to convey the message in a polite and friendly manner.

In particular:

- Not include anything that may be perceived as being sexual in nature.
- Not promote unauthorised social activity or contact.
- Not include a request for a child or young person to keep a communication a secret from their parents; and
- Not include a request to 'add as a friend', 'follow' or communicate with children or young people using any social networking sites.

PHOTOGRAPHS AND VIDEO FOOTAGE OF CHILDREN AND YOUNG PEOPLE

Children and young people are to be photographed or videoed while involved in our sport only if:

- The photo or video is taken in line with Basketball Victoria's Photography policy and;
- The context is directly related to participation in our sport;
- The photo or video is captured on court or in an open/accessible area;

- The child or young person is appropriately dressed and posed; and
- The image is taken in the presence of other adults or people in positions of responsibility.

Basketball Victoria and its Member Organisations employees and volunteers must not distribute images or videos to anyone outside their organisation other than to the child or young person photographed or their parent/caregiver, without organisational approval.

Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others and are to be destroyed or deleted as soon as they are no longer required.

Images that are to be exhibited online or in publications must be taken and used in line with Basketball Victoria's Photography and Social Media policies.

PHYSICAL CONTACT WITH CHILDREN AND YOUNG PEOPLE

Any physical contact with children and young people must be appropriate to the delivery of basketball programs or activities and based on the needs of the child or young person such as assisting with the use of equipment, technique, treatment by a health practitioner or administering first aid.

Under no circumstances should employees or volunteers have contact with children or young people participating in our programs and services that:

- Involves any touching of genitals, buttocks or breast area unless in an emergency first aid situation where this is necessary due to the nature of the injury or medical situation.
- Would appear to a reasonable observer to have a sexual connotation.
- Is intended to cause pain or distress to a child or young person, such as corporal punishment.
- Is overly physical, for example wrestling.
- Is unnecessary or initiated against the wishes of the child.

Employees and volunteers are required to report to Basketball Victoria or the relevant Member Organisation, any physical contact initiated by a child or young person that is sexualised and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the

safety of the child and young person and Basketball Victoria and its Member Organisations participants.

OVERNIGHT STAYS AND SLEEPING ARRANGEMENTS

Overnight stays/camps involving children and young people are to occur only with Basketball Victoria and/or the relevant Member Organisations approval and consent of a parent/caregiver of the children and young people involved.

Written approval must be obtained prior to the overnight stay. Written approval could include electronic messaging formats such as email.

Practices and behaviour by employees and volunteers involved during an overnight stay must be consistent with the practices and behaviour expected during delivery of our sport at all other times.

Standards of conduct that must be observed by all Basketball Victoria and Member Organisation employees and volunteers involved during an overnight stay include:

- Children and young people are provided with privacy when sleeping, studying, bathing, toileting, and dressing.
- Appropriate dress standards are observed when children and young people are present.
- Children and young people will not be exposed to pornographic material, for example, through movies, television, the internet, or magazines.
- Children and young people will not be left under the supervision of unauthorised persons.
- Sleeping arrangements will not compromise the safety of children and young people such as unsupervised sleeping arrangements or children and young people sharing a bed or an adult sleeping in the same room as a child or young person.

Children and young people have the right to contact their parents/caregiver, or another adult, if they feel unsafe, uncomfortable, or distressed during the stay.

CHANGE ROOMS ARRANGEMENTS

Wherever possible, children and young people should be asked to arrive at basketball activities already in uniform.

Where this is not possible;

- Children should be supervised in change rooms whilst ensuring their right to privacy.
- A minimum of 2 employees or volunteers of the same gender as the group should always be present.
- Employees or volunteers must not shower or change at the same time as children or young people.
- Employees and volunteers must avoid one-to-one situations with a child or young person in a change room area.
- Employees and volunteers need to ensure adequate safety in 'public' change rooms when they are used, while also respecting privacy.
- Phones, cameras and recording devices are not to be used in changing rooms. This includes by children and young people to ensure everyone's privacy.

USE, POSSESSION OR SUPPLY OF ALCOHOL OR DRUGS

While on duty or carrying out their roles, Basketball Victoria and its Member Organisations participants must not:

- Use, possess or be under the influence of an illegal drug.
- Use or be under the influence of alcohol.
- Be incapacitated by any other legal drug such as prescription or over-the counter drugs; and
- Supply or knowingly allow children or young people in your care to use alcohol, tobacco products or drugs other than drugs prescribed for the child or young person.

PARENT/CAREGIVER INVOLVEMENT

Basketball Victoria and its Member Organisations employees and volunteers must:

- Provide appropriate contact information so that parents/caregivers are aware of who they can contact regarding their child or young person involvement with basketball.
- Ensure that parents/caregivers are involved in any significant decision making, including

the signing of any documentation in relation to their child or young person's involvement in basketball activities.

- Ensure that families are aware that basketball is a safe and inclusive sport that encourages active and positive family involvement.
- Conduct all training sessions in open locations and allow parents/caregivers to watch their child or young person train. There may be specific instances, such as during Victorian State Team Selection, where it may be appropriate to hold closed sessions. In these situations, prior approval from Basketball Victoria is required and more than one responsible adult must be present throughout the sessions.
- Make parents/caregivers aware of the standard of behaviour required when watching their child or young person during training and inform them that any person displaying inappropriate conduct may be asked to leave.

TRANSPORTING CHILDREN AND YOUNG PEOPLE

Children and young people are only to be transported in circumstances that are directly related to the delivery of our sport programs and services.

Other than in an emergency, it is not acceptable for employees or volunteers to transport children or young people without prior written approval from their parent or caregiver. Gaining approval involves providing information about the proposed journey and any other adults who may be in the car. Once consent is received, this may be a standing approval for regular transport.

When transporting children or young people, employees and volunteers must drive responsibly, not be impaired by alcohol or drugs, have an unrestricted drivers' licence and to the extent practicable, not be alone in the car with a child or young person.

Children may only be transported in a registered and road worthy vehicle.

DROP OFF AND PICK UP OF CHILDREN AND YOUNG PEOPLE

Basketball Victoria and its Member Organisations employees and volunteers must:

- Ensure parents/caregivers know the time and location of training and matches, including venues and start and finish times.
- Arrive before training and game times to ensure that children and young people are not left unattended.
- Have an accessible register of parent/caregiver emergency contact numbers and an operational phone.
- Ensure you are aware of alternative pick up arrangements for children or young people and that the parent/caregiver has provided consent.
- Contact parents/caregivers if they are late to pick up their child/young person and not leave training or games until all children and young people have been picked up.

ATTENDING TO AN INJURED OR UNWELL CHILD OR YOUNG PERSON

Wherever possible, only people qualified in providing first aid should attend to an injured child or young person.

Any person providing first aid should do so in the presence of others, whilst maintaining the child or young persons privacy.

The incident and actions taken should be documented and parents/guardians notified.

WORKING WITH CHILDREN'S CHECK AND SCREENING

At the commencement of appointment, all employees and volunteers must supply their current Working with Children's Check card.

At the commencement of appointment, all employees and volunteers must update their 'organisation details' to include Basketball Victoria and/or the relevant Member Organisation on the Victorian Working With Children Check website.

Anyone over the age of 18 years of age must comply with and sign Basketball Victoria's Member Protection Form.

Basketball Victoria may conduct interviews,

reference checks or request police checks and use other screening methods to help ensure adults who have contact with children are safe, appropriate, and suitably qualified for their role.

BREACHES OF THIS CODE

Basketball Victoria and its Member Organisations consider any breach of this Code as misconduct and will take appropriate action in line with Basketball Victoria's Child Safeguarding and Member Protection Policies. In some instances of serious breach Basketball Victoria may contact Victoria Police or other Government Agencies in line with Child Protection Reporting Legislation and the Victorian Child Safe Standards.

There are very limited situations where this Code may not apply, for example, where a first aid emergency has occurred. In these circumstances you must notify a Basketball Victoria or the relevant Member Organisations, Child Safety Officer or Member Protection Information Officer as soon as possible and within 48 hours.

By reading and agreeing to these standards you acknowledge your responsibility to adhere to this code and immediately report any breach to your relevant supervisor or manager.

I have read this Code of Conduct and agree to always abide by it.

Electronic Acknowledgement or

Name:

Role:

Signature:

Date:

MONITORING AND REVIEW

This document will be reviewed annually, in consultation with stakeholders. Legislative changes, organisational changes or incident outcomes may mean an early review is required.

RELEVANT DOCUMENTS/ LINKS AND RESOURCES

Member Protection Policy www.basketballvictoria.com.au/resources/child-safe-standards

Basketball Victoria's Child Safeguarding Policy www.basketballvictoria.com.au/resources/child-safe-standards

Member Protection Declaration www.basketballvictoria.com.au/resources/child-safe-standards

Reports and Complaints in Basketball www.basketballvictoria.com.au

Victorian Child Safe Standards <https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/>

Victorian Equal Opportunity Act <https://www.humanrights.vic.gov.au/legal-and-policy/victorias-human-rights-laws/equal-opportunity-act/>

APPENDIX 1: DEFINITIONS OF ABUSE

Child Abuse relates to children and young people at risk of harm (both by adults or other children or young people). Children and young people may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

Physical abuse by hurting a child or young person. This form of abuse includes hitting, shaking or other physical harm, giving a child or young person alcohol or drugs, giving inappropriate nutritional or health advice or engaging children and young people in training regimes that exceed their age, ability, and development.

Sexual 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.

Grooming, including any online contact with a child that could be perceived as inappropriate, overly personal or sexual in nature or showing special attention or giving preferential treatment to individual children including giving of gifts or not adhering to professional boundaries as outlines in this code.

Emotional or psychological abuse by repeated rejection or threats towards a child or young person, constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule, intentional excluding or any form of bullying or harassment.

Neglect including failing to provide basic needs such as food, water, shelter or clothing or to provide adequate supervision or medical attention when required to the extent that the Child's health and development is or is likely to be harmed.

Exposure to Family Violence, including any abusive behaviour used by a person in a relationship to gain and maintain control over their partner or ex-partner that is witnessed by a child or young person or that has affected that child or young person in any way. It can include a broad range of behaviour that causes fear and physical and/or psychological harm. If a child or young person is living in a household where there have been incidents of family violence, then they may be at risk of significant physical and/or psychological harm.