



**BASKETBALL**  
**New Zealand**

# **Child Protection Policy**

**A practical guide for member associations to apply to their organisations**

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## *Introduction*

Basketball New Zealand is committed to safe sport and recreation for young people.

The purpose of this policy is to outline what is safe sport for young people and to offer guidance on how to provide a safe sporting environment for children.

Basketball New Zealand's Regulations provide a Code of Conduct and Fair Play for members. This Code of Conduct provides general guidance on acceptable and unacceptable behaviour by players, coaches, officials, parents and supporters.

This policy is designed to supplement the Code of Conduct. It can be easily adopted by member associations.

For the purposes of this policy and associated procedures, children or young-people are recognised as people under the age of 18 years.

### **What is safe sport for children?**

Safe sport for children balances what children want to get from their sports experience while also ensuring they are not subject to harm caused by an adverse social/or physical environment.

Children want to be in an environment that is safe and supportive, where they are encouraged to be the best they can be while also enjoying what they are doing. We know from research that children do not enjoy experiences where:

- there is an over-emphasis on winning by parents or coaches
- some players miss out while only the best players participate consistently
- some participants are favoured over others
- they feel they're not on good terms with the person in charge
- they cannot participate with their friends
- they fear being hurt
- they don't feel safe
- there's no emphasis on fun
- they don't feel that they are improving or developing their skills.

## *Policy Pledge, Principles and Objectives*

### **Policy Pledge**

All sports organisations that provide sport for young people should be fully committed to safeguarding the welfare of all children in their care.

Basketball New Zealand and its member organisations recognise and pursue the responsibility to promote safety, and protect children from harm and exploitation.

Staff and volunteers will do this by working together to ensure a safe environment for children participating in our game and adhering to the principles and guidelines of this Policy.

### **Policy Principles**

In implementing this policy we are committed to the following principles:

1. Young people have a right to participate in sport and recreation that is safe,
2. Children should feel respected, valued, and encouraged to enjoy their participation and to reach their full potential
3. Sport and recreation organisations have a duty of care when it comes to children. These organisations should take steps to ensure that children can participate safely in the activities they provide.
4. Our organisation will work in partnership with children, parents and carers, to promote the welfare, health and development of children.

### **Policy Objectives**

The aim of this policy is to get sport organisations to:

- promote the health and welfare of children by providing safe basketball-opportunities
- respect and promote the rights, wishes and feelings of children
- promote and implement appropriate procedures to safeguard the well-being of children and protect them from harm
- commit to recruiting, training, supporting and supervising staff, members and volunteers to adopt good practice to safeguard and protect children from harm, and to reduce the risk of allegations or complaints against themselves
- educate children, staff, members and volunteers to adopt and abide by this Child Protection Policy
- promote the collective responsibility within our sport for ensuring safe sport for children.
- commit to responding to allegations of misconduct or harm to children in line with this Policy and these procedures, as well as implementing, where appropriate, the relevant investigative, disciplinary and appeals procedures
- regularly monitor and evaluate the implementation of this Policy and these procedures.

## *Good Practice Guidelines for Working with Young People*

The following protocols provide guidance to those working with children by outlining good practice and establishing boundaries in a range of situations. The intention of these protocols is to reduce the likelihood of harm to a child, as well as minimising the risk of an allegation or complaint being made.

### **1. Apply a child-centred approach where all children are treated equally and with dignity**

- Activities should be appropriate for the age and development of the children in your care.
- Ensure feedback to children is about their performance and not of a personal nature.
- Use positive and age-appropriate language when talking to children and in their presence.

### **2. Create a safe and open working environment that also reduces risk to staff and volunteers**

- Exercise common sense.
- Do not send children off to train alone and out of sight or supervision.
- Ensure that children use appropriate protective gear.
- Ensure that all physical contact with children is relevant and appropriate to the activity.
- Seek permission to touch when doing the above.
- Do not engage in any intimate, over-familiar or sexual relationships with people under the age of 18 years.
- Ensure that any filming or photography of children is appropriate.
- Explain the purpose and obtain consent from parents or caregivers prior to filming or photographing children.
- Request parental consent before transporting children in a vehicle. Ensure that the vehicle is insured and has a current Warrant of Fitness and registration
- Do not drink alcohol in the presence of children and do not offer alcohol to children under any circumstances.
- Do not engage in communication with a child, on a one-on-one basis, through social media, texting or email, other than for relevant coach/athlete feedback or administration.

- Do not allow parents, coaches, other children, or spectators to engage in any type of bullying behaviour (this includes cyber/text bullying).
- Do not bully or place unnecessary pressure on young people.

### **3. Avoiding situations where you are alone with a child**

- Avoid private or unobserved situations, including being alone with a child in the changing rooms. Have another adult present or at least another player.
- Avoid entering changing rooms. If you must enter, knock and announce yourself and try to have at least one other adult with you
- Avoid driving a child unaccompanied. If this is unavoidable, have them sit in the back seat.
- Do not invite or encourage children to your home.
- Always have another adult present when staying overnight anywhere with children.
- Do not share a room with a child that is not your son or daughter.
- Travelling creates higher-risk environments. Take extra care to ensure players and volunteers are not exposed to undue risk.

## *Recruitment and Training Processes for Staff and Volunteers*

Part of a sport or recreation provider's duty of care requires them to ensure that only suitable staff and volunteers are working with children. This means developing a simple but robust recruitment process that involves some form of screening, which includes police vetting.

### **Recruitment Process:**

#### 1. Creating role descriptions

Simple role descriptions make it easy to find the right type of staff and volunteers. The role description should outline the purpose of the role, what is involved, and the desired skills and experience. This also helps recruitment by providing a clear role scope and dispelling any insecurities volunteers might have about not having the skills, or concerns they'll end up over-committed.

#### 2. Interviewing candidates

Short interviews with staff or volunteers help communicate clear expectations about the role and the type of person the appropriate candidate is likely to be. It is a chance to share information, ask and answer questions, and emphasise the organisation's Child Protection Policy.

#### 3. Follow up with the candidate's referees.

Candidates should provide contact details of at least one referee who can be contacted to discuss their suitability for the role. This is particularly important for roles that potentially carry a higher risk.

#### 4. Screening applicants – police vetting

Police vetting is part of the screening process, but this should not constitute an organisation's complete response to keeping children safe. Police vetting will provide an organisation with a judgement by Police about a person's suitability to work with children based on the information it holds – this should be considered a 'red flag' rather than detailed information.

## **Roles and Responsibilities**

Your organisation should appoint a Child Protection Officer (or another suitable role with responsibility for child protection issues). This person is your champion for child protection and can lead the implementation of your organisation's Child Protection Policy. They can also act as a positive role-model for the creation of a safe environment for children and the adults that work with them.

Their main responsibilities would include:

- ensuring that child protection procedures are understood and adhered to by all members
- organising promotional activities and training, and raising awareness within the organisation
- establishing and maintaining the complaints procedure
- reporting to the Board, Executive, Committee, or Management as appropriate
- acting as the main contact and support for child protection matters
- keeping up-to-date with developments in child protection legislation
- liaising with local child-protection agencies as required
- maintaining confidential records of reported cases and any action taken
- regularly monitoring and reviewing existing policies and procedures.

## **Code of Conduct**

Your organisation should have a documented Code of Conduct to provide guidance on acceptable and unacceptable behaviour by players, coaches, officials, parents and supporters.

Sport New Zealand have developed a Code of Conduct that reflects the different ways people are involved with clubs and associations. A copy of this is included in Appendix 1. Your organisation may like to tailor this Code of Conduct to be specific for your volunteers.



## Education and Training of Staff and Volunteers

In addition to the pre-selection checks, the child protection process should include subsequent monitoring and training of staff and volunteers in order to:

- ensure that staff and volunteers are working safely and effectively with children
- identify and respond to any unacceptable behaviour or practices of staff and volunteers
- enable staff and volunteers to analyse their own behaviour and practices, and compare them against the Code of Conduct and Good Practice Guidelines – this helps minimise the risk of allegations or complaints against that person
- respond in a positive way to concerns raised about staff or volunteers i.e. via training to improve practices.

This Policy is designed to support the education and training of staff and volunteers. New staff and volunteers should be given a copy of your organisation's Child Protection Policy and be able to demonstrate an understanding of the Code of Conduct and Good Practice Guidelines.

It is good practice to have the Child Protection Officer (or equivalent person) take new staff and volunteers through this policy and have them sign a copy of the Code of Conduct.

## *Misconduct, Complaints and Investigative Process*

This section of the Policy outlines how concerns should be reported.

Your organisation should be prepared to deal with the following situations:

- What happens when a child discloses that harm has occurred and what is the appropriate way to respond i.e. stay calm, reassure the child, listen, keep questions to a minimum, record the information, take immediate action if the child is unsafe?
- When should reported or suspected concerns be brought to the attention of the Child Protection Officer or Board?
- What happens when your policy is breached or good-practice guidelines are not followed?
- What investigative process should be followed when an allegation or complaint is made or harm has occurred?
- Where harm, in the form of physical or sexual abuse, is suspected or reported, what process is set to help deal with this.

Your Child Protection Policy should include a list of local and national agencies, and contact details for the provision of support in the event that a child is harmed.

### **What is Misconduct?**

Misconduct occurs when a code of conduct is breached. Serious misconduct occurs when there are serious or repeated breaches of the code of conduct. When dealing with misconduct there is an escalating scale of options that could be employed. These range from bringing the breach to the attention of the person involved and agreeing ways to avoid this happening again through to formal disciplinary action and ultimately dismissal, or involvement of the Police and/or Child, Youth and Family.

### **Addressing Concerns Over Poor Practice, Allegations and Complaints**

Where concerns about poor practice or breaches of codes of conduct are identified or reported, proactive action should be taken to reduce the risk of harm.

Poor practice involves actions that are contrary to the good-practice guidelines provided by your sport and increase the risk of harm to children.

If a complaint or allegation of harm is made then the investigative process to be followed is outlined below.

A process of addressing concerns and complaints is as follows:

- Initial concerns should be discussed with your Child Protection Officer, or nominated person, to determine if a breach or potential breach has occurred.
- Child Protection Officer to address person involved to remind them of the good practice guidelines and code of conduct.
- Child Protection Officer to formally talk to the person concerned about specific breaches of the code of conduct.
- Where there is an ongoing and legitimate concern, or a complaint has been received and investigated by the Child Protection Officer, then this should be raised by the Child Protection Officer with the board or committee to consider appropriate disciplinary action (refer to the Potential Disciplinary Outcomes section).
- Depending upon the seriousness of the poor practice, if it continues or there is repeated poor practice following a written notice, then enact disciplinary procedures. This may include expulsion from your organisation.
- Serious allegations may require immediate formal action.

## **Responding to Suspected Harm in the Nature of Physical or Sexual Abuse**

Alleged physical or sexual abuse is very serious and requires an immediate response. In responding to suspected physical or sexual child-abuse there are a few key principles that should be applied immediately:

- Ensure the child is safe from immediate harm. The welfare and interests of the child is the first thing to be considered.
- Immediately notify the Child Protection Officer or nominated person-in-charge.
- Suspected and actual incidences of reported harm should be responded to, and recorded accurately and appropriately, as soon as possible. Records should be factual (not opinion or hearsay), concise, and include:
  - i. the nature of the allegation
  - ii. who noticed/disclosed the harm and their relationship to the child
  - iii. details of any witnesses
  - iv. signs and symptoms noted (including behavioural change)
  - v. any particular incidents with dates, times and places (if possible)
- Notify *Child, Youth and Family* (0508 FAMILY) if you are worried about suspected physical or sexual abuse or, if you think the child is at immediate risk, notify the Police.

A more detailed process in relation to suspected or reported physical or sexual abuse is provided in Appendix 1.

## Other Considerations

A range of other factors may be relevant when managing a potential-harm situation.

- *Managing sensitivities, conflicts and stress*

These can arise within organisations and between members, families and officials.

- *Managing the rights of alleged offenders*

People who have allegedly acted improperly also have rights, privacy for example. They also have a reputation and families of their own, so it is important to carefully investigate any complaints and follow a robust and fair process.

- *Managing media interest*

This is very important because you are dealing with the reputations of people within your sport and your sport itself. As such this needs to be carefully managed and you may need to seek professional assistance.

## Support the Child and the Family Should a Child be Harmed

When a child has been harmed, there is a range of people and places that can provide support. It may help the child and their family if the sports club can provide some support.

Where the harm or suspected harm is serious, *Child, Youth and Family* and the Police will be key agencies to contact.

Agencies/organisations that can provide support:

- ACC by providing financial support where a child has been physically harmed, or by providing approved counsellors for children who have been sexually abused.
- *Citizen's Advice Bureau* by providing details of local crisis counselling services.
- *Child Matters* is a registered charitable trust that provides training programmes, seminars and workshops on child harm, as well as advice and resources.
- *Jigsaw Family Services* is a national organisation focused on the wellbeing of New Zealand children and their families.
- *KidsLine* is New Zealand's only 24-hour helpline for children and provides trained counsellors.
- *Youthline* is a free telephone counselling service for young people (aged 12-18 years).
- *Iwi Social Services* By providing social services run by iwi, hapu and Māori organisations working with people in their rohe (tribal area).

The agencies and organisations listed above are generally national organisations. There will be other groups that operate in your local area that may be more appropriate to contact and work with in cases of harm to children.

One of the exercises that your organisation should go through is to make a list of agencies and note their contacts.

## **Allegations or Complaints that are Frivolous or Malicious**

There may be some instances where an allegation or complaint is made that, after investigation, is found to be frivolous or malicious. Should this occur it may be necessary to take action against the person(s) who made the complaint.

Your policy should set out how you will manage this situation. For example, what penalties will be imposed by your organisation? Any penalties must be appropriate to the level of harm caused and the extent of the breach of the good-practice guidelines.

Before any penalty is incurred, you must consider any contractual/employment rules and requirements. You should also allow an opportunity for the person to be heard in response to any allegations made.

## **Potential Disciplinary Outcomes**

This section sets out the possible outcomes of an investigative process. Outcomes may include:

- a satisfactory mediated outcome
- disciplinary action imposed for a breach of this policy
- no action taken due to a finding of 'no breach of the policy' or insufficient evidence
- action against the complainant (or other person) due to a finding of frivolous, vexatious or malicious allegation
- referral to another agency.

Actions or penalties that could potentially result from a breach of the policy include:

- verbal warnings
- written warnings
- suspension of a person from a role they hold with the organisation
- banning of a person from activities held by or sanctioned by the organisation
- a direction to complete a reasonable task i.e. letter of apology or corrective action
- refer the matter to an appropriate authority i.e. *Child, Youth and Family* or Police.

## Further Information

This policy guide is developed from resources provided by Sport New Zealand and the New Zealand Government. Additional information and resources are available from:

- Sport New Zealand: [www.sportnz.org.nz](http://www.sportnz.org.nz) – (Safe Sport For Children)
- New Zealand Government: [www.childrensactionplan.govt.nz](http://www.childrensactionplan.govt.nz)

Basketball New Zealand will continue to update and improve the resources we provide, if you have any questions or suggestions please contact us – [BBNZ@basketball.org.nz](mailto:BBNZ@basketball.org.nz).



## *Appendix 1: Sample Code of Conduct*

Sport New Zealand has developed a Code of Conduct that reflects the different ways people are involved with clubs and associations. You may want to tailor this Code of Conduct to create one that's specific for your participants, volunteers and staff.

### **Administrators**

*I will:*

- create pathways for club members to participate not just as players but also as coaches, referees, administrators etc
- ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of players
- ensure quality supervision and coaching for players
- remember that players participate for their enjoyment and benefit
- help coaches and officials highlight appropriate behaviour and skill development, and help to improve the standards of coaching and officiating
- ensure that everyone involved in sport emphasises fair play
- distribute a code of conduct to players, coaches, officials and parents and encourage them to follow it
- respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background
- promote adherence to anti-doping policies.

*I will not:*

- arrive at the venue intoxicated or drink alcohol at junior matches
- allow the unlawful supply of alcohol at training, games or club functions
- use bad language, nor will I harass players, coaches, officials or spectators.

### **Coaches**

*I will:*

- remember that players participate for enjoyment and winning is only part of the fun
- never ridicule or yell at players for making a mistake or not winning
- be reasonable in my demands on players' time, energy and enthusiasm
- operate within the rules and spirit of the game and teach my players to do the same
- ensure that the time players spend with me is a positive experience. All players are deserving of equal attention and opportunities
- avoid overplaying the talented players and understand that the average players need and deserve equal time
- ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players
- display control, respect and professionalism to all involved with the sport including opponents, referees, coaches, officials, administrators, the media, parents and spectators. I will encourage my players to do the same.
- show concern and caution toward sick and injured players and follow the advice of a



physician when determining whether an injured player is ready to recommence training or competition

- obtain appropriate qualifications and keep up to date with the latest coaching practices and the principles of growth and development of young players
- respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background
- promote adherence to anti-doping policies.

*I will not:*

- arrive at the venue intoxicated or drink alcohol at junior matches
- allow the unlawful supply of alcohol at training, games or club functions.
- use bad language nor will I harass players, officials, spectators or other coaches

## Officials

*I will:*

- place the safety and welfare of players above all else
- show concern and caution towards sick and injured players
- be impartial, consistent, objective and courteous when making decisions
- accept responsibility for my actions and decisions
- condemn unsporting behaviour and promote respect for the individuality of players
- avoid any situations which may lead to or be construed as a conflict of interest
- be a positive role model in behaviour and personal appearance and ensure my comments are positive and supportive
- be a good sport as I understand that actions speak louder than words
- always respect, remain loyal to and support other officials
- keep up to date with the latest 'Laws of the Game', trends and principles of their application
- refrain from any form of personal abuse towards players or other officials
- respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background.

*I will not:*

- arrive at the venue intoxicated or drink alcohol at junior matches.

## Parents

*I will:*

- encourage my child to play within the rules and respect officials' and coaches' decisions
- teach my child to respect the efforts of their opponents
- remember that children learn best by example so I will applaud good plays/performances by both my child's team and their opponents





- give positive comments that motivate and encourage continued effort
- support my child's efforts and performance
- thank the coaches, officials and other volunteers who give their time to conduct the event for my child
- help when asked by a coach or official
- respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background.

*I will not:*

- pressure my child in any way – I know that this is their game not mine
- I will not arrive at the venue intoxicated or drink alcohol at junior matches
- use bad language, nor will I harass players, coaches, officials or other spectators
- criticise or ridicule my child's performance after the game.

## Players

*I will:*

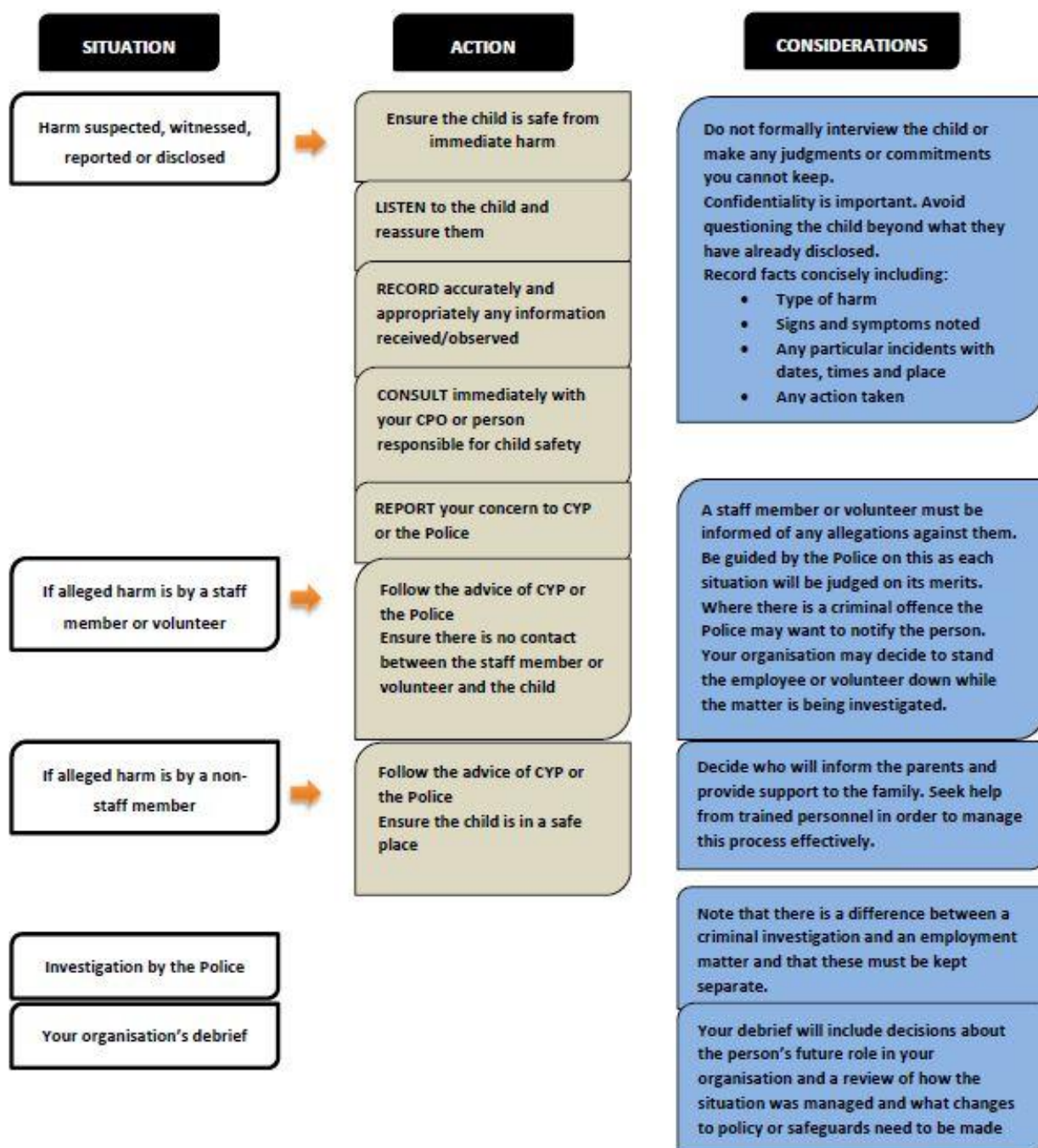
- always play by the rules
- never argue with an official. If I disagree with a decision I will inform the captain, coach or manager during a break or after the competition
- control my temper. I understand that verbal abuse of officials and other players or deliberately distracting or provoking an opponent is not acceptable or permitted behaviour in any sport
- work equally hard for myself and my team
- be a good sport and applaud all good plays whether they are made by my team or the opposition
- treat all players in my sport as I like to be treated. I will not bully or take unfair advantage of another competitor
- cooperate with my coach, team mates and opponents
- display modesty in victory and graciousness in defeat
- participate for my own enjoyment and benefit, not just to please parents and coaches
- respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion
- thank the opposition and officials at the end of the game
- comply with anti-doping policies.

*I will not:*

- arrive at the venue or play sport while intoxicated



## *Appendix 2: Sample Process for Responding to Suspected or Disclosed Harm in the Form of Physical or Sexual Abuse.*



Source: Safe Sport for Children, Sport New Zealand