



CHILD PROTECTION POLICY

Updated January 31, 2021



This section of the child protection policy sets the foundation on which the rest of the policy sits. It outlines the commitment of Netball America, the aim of the policy, and assigns responsibility.

Statement of Commitment

- Netball America is committed to the prevention of abuse and to the well-being of members, children, young people, vulnerable adults, and their families.
- Netball America is committed to acting at all times in the best interest of the children, young people and vulnerable adults to whom it provides a service.
- Netball America is committed to dealing with abuse, suspected abuse or disclosure of abuse in a timely fashion.
- Netball America recognizes that the family's primary role in caring and protecting the child should be valued and maintained. However, the child's safety and wellbeing should have priority.
- Netball America acknowledges that in cases of suspected child abuse, support for families is important.
- Netball America agrees that working in accordance with this policy requires staff and volunteers to be trained and supported.
- Netball America will ensure any disclosures about alleged abuse are acknowledged and appropriate action taken to ensure the safety of children who make disclosures.
- Netball America is committed to complying with all relevant legislation.

Objective

The overall objective of this child protection policy is to ensure the prime consideration at all times is the safety of the child.

Netball America is committed to protection the safety and well-being of children who participate in Netball America related programs and activities or utilize any Netball America sponsored or partner facilities for activities including, but not limited to, Be An Inspiration Programs, Summer Camps, the Women's Sports Foundation GoGirlGo! Programs, ESPNW Sports 4 Life Programs, Netball America sanctioned tournaments, Netball Academy events and school and university programs.

Related Documents

The child protection policy is to be used in conjunction with the following existing Netball America policies:

- Complaints Policy
- Code of Conduct
- Transport Policy
- Privacy Policy
- Athletes Rights Policy
- Background Check Policy

This child protection policy adheres to the following Acts:

- [Child Protection Act of 2012 \(2012 – H.R. 6063\)](#)
- [The Child Online Protection Act \(COPA\)](#)
- [The Child Abuse Prevention and Treatment Act \(CAPTA\) 2016](#)

Scope

This policy applies to all children who are clients of this organization, and to those with whom personnel come into contact in the course of their work with Netball America. It applies to staff, volunteers, and management of Netball America. It also applies to any special guests or contracted personnel providing support services on behalf of Netball America.

Definitions

A child is defined as anyone under the age of 18.

An adult receiving a service a result of their deafness or disability could be regarded as a 'vulnerable adult' and thereby also covered by this policy.

'Staff' is defined as those who are employed directly by or volunteer for Netball America, as well as staff and volunteers of partner organizations whilst they are working with children and young people in the care or supervision of Netball America.

Responsibilities

The Board of Directors holds the responsibility for overseeing the policy, training, any complaints etc in regard to this child protection policy. The designated person for child protection for Netball America is Moreen Beirlein, Board Member. You can contact Moreen at Moreen@NetballAmerica.com with any questions about this policy.

Review

The child protection policy and all its sub policies and related policies will be reviewed annually.

The Federal Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C.A. § 5106g), as amended by the CAPTA Reauthorization Act of 2010, defines child abuse and neglect as, at minimum:

- "Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation"; or
- "An act or failure to act which presents an imminent risk of serious harm."

This definition of child abuse and neglect refers specifically to parents and other caregivers. A "child" under this definition generally means a person who is younger than age 18 or who is not an emancipated minor.

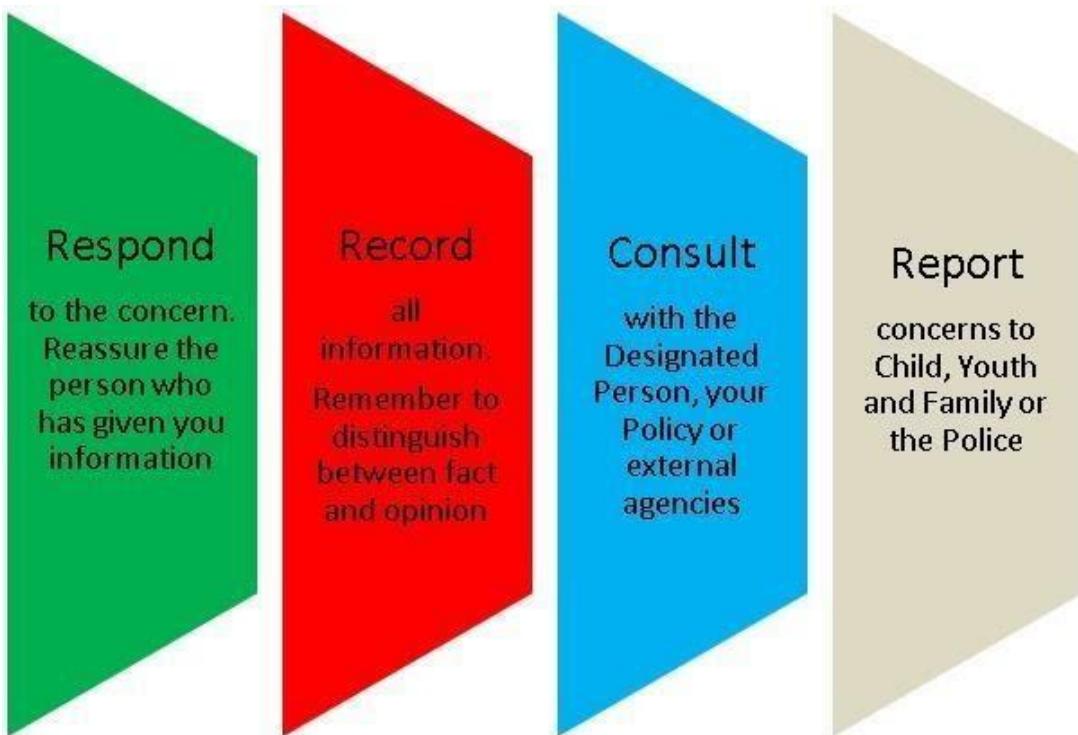
While CAPTA provides definitions for sexual abuse and the special cases of neglect related to withholding or failing to provide medically indicated treatment, it does not provide specific definitions for other types of maltreatment such as physical abuse, neglect, or emotional abuse. While Federal legislation sets minimum standards for States that accept CAPTA funding, each State provides its own definitions of maltreatment within civil and criminal statutes.

All coaches, volunteers and staff working with children must read the [Fact Sheet on 'What is Child Abuse and Neglect? Recognizing the Signs and Symptoms'](#) published in 2013 by the Child Welfare Information Gateway.

Child Protection Procedures

Any issues of suspected child abuse must be taken seriously and handled in an appropriate manner that ensures the child's safety.

The Designated Person for Child Protection is responsible for ensuring that the procedure for reporting child abuse is effective and timely. If a member of staff has a child protection concern, then they must inform the Designated Person as soon as possible. You can contact the Designated Person for Child Protection at Moreen@NetballAmerica.com or by calling +1-888-221-3650.



Confidentiality and Information Sharing

Keeping children safe requires the appropriate sharing of information subject to legal restrictions and the best interests of the child. Refer to [Netball America Privacy Policy](#).

- Netball America recognizes that all staff must act within the legal requirements of the Acts noted above and other state statutes. There are provisions within each of these acts for sharing information needed to protect children and enable other people to carry out their legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the child.
- Staff may be asked to provide information to Child, Youth and Family, the Police, Court or Lawyers and Psychologists.
- Information sharing will be restricted to those who have a need to know in order to protect children.
- When any of the above contacts a staff member for information that staff member must first refer to The Designated Person for Child Protection for clearance before providing the information.
- In the case of a Social Worker or Counsel for Child wishing to interview a child while in the care of Netball America, the staff member must consult The Designated Person for Child Protection to be certain that such an interview will be undertaken legally and in the best interests of the child.
- A child's records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made on a child's record about guardianship of a child without sighting the appropriate documentation.

Relationship with External Agencies

- Netball America will maintain a good working relationship with Child, Youth and Family and with Police, and be familiar with the laws that serve to protect children from abuse. We will consult with Child, Youth and Family, the Police, and with other appropriate agencies that have specialist knowledge to help us protect children from abuse.
- Netball America believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases themselves. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.
- Netball America will ensure that it has contacts for Child, Youth and Family and Police offices. The Designated Person for Child Protection will maintain this information.
- A list of specialist agencies will be kept and updated by the Designated Person for Child Protection. A copy of this will be made available to all staff.
- Netball America will also maintain relationships with NGOs and agencies that provide services to children and families. Netball America encourages the networking of agencies, and staff will undertake an active program for maintaining the relationships between the agencies.
- Netball America will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's or young persons' immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.
- Netball America will not act alone and will refer all suspected situations of child abuse to Police or Child, Youth and Family. The safety of the child will be the primary consideration, and no person in this organization will collude to protect an adult or an organization.
- Allegations will be treated in such a way that the rights of adults and the stress upon the staff member are also taken into consideration.
- When abuse is suspected, or an allegation made against a staff member, the first consideration will be to ensure the safety of child.
- When abuse is suspected, staff will follow the process for Responding to Suspected Child Abuse included in this policy.
- When there are suspicions of abuse by a staff member, both staff and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice.
- The person managing the child abuse issue will not be the same person as that managing the employment issue.

- The suspected staff member (or volunteer) will be prevented from having further unsupervised access to children during any investigation and will be informed fully of their rights.
- Staff will declare to a senior person any situation where there could be a conflict of interest, and provision made on a case-by-case basis about who will handle the process.
- If a child discloses abuse, staff will also follow the guide Dealing with Disclosures of Abuse.
- Netball America recognizes the added stress to fellow staff in such a situation and will ensure support is available.
- The Designated Person for Child Protection must immediately ensure that the suspected individual does not have any contact with the child making the allegation. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children.
- If the police decide to undertake a criminal investigation then the member of staff may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.
- If Netball America is aware that a member of staff it has placed on precautionary suspension also works with children for another organization, either as an employee or a volunteer, it should ensure that the other organization is informed of the suspension and the subsequent outcome. Consultation with Child, Youth and Family or the Police will determine how this information is conveyed.
- Netball America should liaise with Child Youth and Family and the Police regarding the progress of the investigation.
- If there is insufficient evidence to pursue a criminal prosecution, then a disciplinary investigation may still be undertaken if there is "reasonable cause to suspect" that abuse may have occurred. The allegation may represent inappropriate behavior or poor practice by a member of staff which needs to be considered under internal disciplinary procedures.

Netball America ensures that all staff working with children, both paid and voluntary, have been appropriately vetted and screened. Netball America will also ensure qualified personnel will be assigned to the appropriate children's program.

Definitions

"Screening" means an internal process for identifying suitable candidates – in this case, those who can be relied on to keep children in your care safe.

Screening is about following a process to collect enough information so that you can be satisfied, having assessed the risks, that the applicant is safe to work with children in the role they are applying for. More specifically, it means verifying their identity, gathering information about them through application forms, interviews and reference checks, and finally checking what you know through the use of external checks like the fingerprint and background checks.

"Vetting" means the formal process of obtaining checks from another agency, e.g. criminal record checks.

Training

- Netball America recognizes that induction training for new employees is critical to the safety of children and all staff whether paid or unpaid will attend induction training on child abuse. They will also be required to attend training to understand and carry out the child protection policy, and their further training needs will be identified.
- All new staff will undertake an induction program that requires them to read and understand specific material and information about child abuse.
- A child protection component will be part of the induction training for the Board of Directors, the Executive Management Team and any volunteers.
- All new staff members will attend an informative session where this Child Protection Policy is clearly explained.
- All staff will read and have a copy of the Child Protection Policy. Reference to the Child Protection Policy will be made on a regular basis in staff meetings and training sessions, so that staff remain familiar with and up to date with the policy statements and procedures.
- The ability of staff to protect children in their care is critical. All staff will be expected to undertake training in child protection at a level appropriate to their position. Netball America will ensure that such knowledge is kept up-to-date and relevant.
- All staff will be expected to complete basic training covering how to recognize and respond to children affected by child abuse and family violence.
- Time will be made available on full pay to attend these programs, and costs will be met by Netball America.
- All Board of Directors, management team and coaches will be required annually to complete the U.S. Center for SafeSport – SafeSport Training.
- Staff will undertake refresher training and review of policies every year. All coaches will undertake training prior to the start of any program.

Safe Working Practices

- Netball America believes that as far as possible, staff working with children and families should keep their personal and professional lives separate and does not encourage close personal relationships or care-taking activities outside the work environment.
- All members of staff, whether paid or voluntary, are expected to follow guidelines that clarify appropriate behavior. Netball America will review these regularly with staff to ensure that the guidelines meet the needs arising from ever-changing environments and situations.
- All staff are to have a clear understanding of, and to agree to Netball America's Code of Conduct, Privacy and Conflict of Interest Policy.

- Staff are to inform their senior manager of any existing relationships with members, students, clients or their families which could constitute a conflict of interest or place the staff member in a position of compromise.
- Staff are to inform their senior manager of any potential situations of possible compromise or conflict of interest that arise as part of their work.
- No staff member is to enter into any relationship with a child, young person or family, which could mean that any other section of this policy, is compromised.
 - [Responding to Child Abuse](#)
 - [Dealing with Disclosures of Abuse](#)
 - [Example of a Concern Form](#)

Glossary

Adolescents

For the purpose of these guidelines adolescents (young people, teenagers) are 14 - 17 years and are a sub-category of children (0 - 17 years).

Bullying

"The intentional hurting of one person by another, where the relationship involves an imbalance of power. It is usually repetitive or persistent, although some one-off attacks can have a continuing harmful effect on the victim." *Anti-Bullying Alliance Statement of Purpose UK*

Child

The *United Nations Convention on the Rights of the Child* states in Article 1, that 'child' means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Child Abuse

"The harming (whether physically, emotionally, or sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person."

Child Abuse and Neglect

Harming or maltreatment, whether physical, sexual, emotional (also called psychological) or, by neglect. Abuse is generally seen as an *act of commission* or a deliberate act, whereas neglect is seen as an *act of omission* or a failure to do something.

Child Pornography

In accordance with the *Optional Protocol to the Convention on the Rights of the Child*, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or stimulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.'

Child Protection

An activity or initiative or project designed to protect children from any form of harm, particularly arising from child abuse or neglect.

Emotional Abuse

The persistent emotional ill treatment of a child adversely affects their development, it may involve conveying to a child that they are worthless, unloved, and inadequate; or where inappropriate expectations are imposed upon them. In addition, it includes children who are regularly frightened, exploited or corrupted.

Family Violence

Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child's basic emotional needs.

It may include but is not restricted to physical neglect ... neglectful supervision ... medical neglect ... abandonment ... [and] refusal to assume parental responsibility.

Notification, Referral, Reporting

Notification, referral, and reporting are all terms used to describe making a report of concern to Child, Youth and Family or the Police.

Online Grooming

Online grooming of children occurs on the Internet. Some abusers will pose as children online and make arrangements to meet with them in person.

The act of sending an electronic message with indecent content to a recipient whom the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Section 131B, Crimes Act 1961 [Section 131B: inserted, on 20 May 2005, by section 7 of the Crimes Amendment Act 2005 (2005 No41)].

Personnel or Staff

Personnel either employed by an organization or engaged by an organization on a sub-contract basis, or engaged by an organization on a voluntary or unpaid basis.

Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child including fabricating the symptoms of, or deliberately causing, ill health to a child.

Sexual Abuse

Involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts and non-physical contact – for example, sexual grooming. Sexual abuse may also include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

Sexual Grooming

Refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, in order to lower the child's inhibitions in preparation for child sexual abuse.



Sexual Grooming is a criminal offence.

Using Force

Using force for the purpose of disciplining a child is a criminal offence.

Vulnerable Adults

Some adults are more vulnerable to abuse, such as those with physical disabilities or learning and development delays.

Vulnerable Children

Children who are particularly vulnerable to abuse, such as very young children or those with physical and mental disabilities.

Violation of the Code

Adherence of members to a code of conduct is largely a voluntary matter. However, if a member does not follow this code by engaging in gross misconduct, disciplinary action will be recommended according to the existing Constitution. If you are aware of any Member not in compliance with the Code you should immediately report the incident to Info@NetballAmerica.com or call +1-888-221-3650.

STAFF AFFIRMATION

I have read and accept this Child Protection Policy for Netball America. I agree to the rules, guidelines, jurisdiction and procedures stated in these documents.

VOLUNTEER SIGNATURE

DATE

FULL NAME OF VOLUNTEER

OBSERVER

PARENT/GUARDIAN CERTIFICATION
(For Participants under the age of 18 as of date of Signature)

PARENT/GUARDIAN SIGNATURE (if

DATE

FULL NAME OF PARENT/GUARDIAN

RELATIONSHIP (PARENT/GUARDIAN)