MEMBER PROTECTION FRAMEWORK:

SAFEGUARDING POLICY

FOOTBALL AUSTRALIA

Effective from December 2020

Football Federation Australia Limited

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FOOTBALL FEDERATION AUSTRALIA

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Effective from 18 December 2020

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If you believe a Child or Adult at Risk is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

To make a Child Abuse Report please visit www.footballaustralia.com.au/report

Further resources on reporting allegations of Abuse, including Child Abuse, in different states and territories are available in **Section 7** to this Policy.

1. INTRODUCTION

Football Australia Limited (***Football Australia***) and its affiliated Football Entities aims to provide a safe and enjoyable environment for all Members participating in football. Everyone involved in our sport should be treated with respect and dignity and be free to participate without being discriminated against, harassed, bullied or abused.

All Children and Adults at Risk should be able to enjoy participating in football in a safe, supportive and empowering environment. Football Entities recognise that it is the responsibility of every Member to safeguard the welfare and wellbeing of all Children and Adults at Risk and Football Entities aim to ensure that our sport has an environment where everyone is empowered to protect themselves and one another. All Members, in particular a Child or Adult at Risk, should feel comfortable, and be encouraged to, speak up and report any concerns they may have or be aware of in relation to the safeguarding of Children and Adults at Risk in football.

The Governing Bodies acknowledge that staff, members and volunteers provide a valuable contribution to the experiences of Children and Adults at Risk involved in football. The Governing Bodies aim to continue this and to take measures to protect the safety and wellbeing of all Children and Adults at Risk participating in football.

2. SCOPE AND APPLICATION

2.1 Scope

This Safeguarding Policy is part of football's ongoing commitment to ensuring that there is an inclusive and safe culture for all Children, which safeguards them against any forms of Abuse at all levels of the sport. This Policy has been established to:

(a) assist all Football Entities and Members to understand what their responsibilities are in relation to safeguarding Children;

(b) help create and maintain a sporting environment that is safe, caring and nurturing for all participants in relation to the delivery of Football Activities; and

(c) adhere to the National Principles for Child Safe Organisations as endorsed by the Council of Australian Governments (COAG)1.

[1] https://www.humanrights.gov.au/our-work/childrens-rights/national-principles-child-safe-organisations

It is intended to address the safeguarding of all Children while participating in all Football Activities within the jurisdiction and care of a Football Entity.

Due to Adults at Risk also having an increased risk of being subjected to Abuse and Harm, all references to Child or Children should, where appropriate, also be read and applied as if replaced by Adult at Risk or Adults at Risk (as applicable).

This Safeguarding Policy forms part of Football Australia's Member Protection Framework and the Football Australia Statutes and provides the standards expected of all Members for safeguarding the welfare and wellbeing of all Children. This Policy consists of a set of principles and certain procedures in relation to the protection of Children that all Football Entities and Members are required to establish and comply with for everyone involved in football.

A Football Entity may supplement this Policy with further procedures and policies provided they are not inconsistent with the terms or spirit of this document, as determined by Football Australia.

2.2 Who does this Safeguarding Policy apply to?

This Safeguarding Policy including the annexures applies to Football Australia, Member Federations, District Associations, Regional Branches and Zones, Competition Administrators, Clubs, Officials, and Players (whether they are in a paid or unpaid capacity). To the fullest extent possible, it also applies to parents and guardians of Players and to spectators at Matches.

Football Entities are responsible for applying this Safeguarding Policy in relation to their Members. Football Entities must also publish, distribute and promote this Safeguarding Policy to their Members.

2.3 Status

This Safeguarding Policy has been endorsed by the Football Australia Board and forms part of the Football Australia Statutes. It replaces the processes contained in Football Australia's repealed Member Protection Policy and applies with immediate effect on and from 18 December 2020 subject to the transitional measures set out in Section 10 below.

3. HOW WE ARE SAFEGUARDING CHILDREN

3.1 Commitments

Football Entities are committed to:

(a) the safety and wellbeing of all Children participating in our sport and accessing our services;

(b) supporting the rights of Children and taking all necessary steps to ensure that a safe environment is maintained;

(c) ensuring policies and procedures are accessible in forms that are easy to understand; have been informed by stakeholder consultation; and are communicated to Children, their families and the wider football community;

(d) providing education to Children about self-protection and empowerment, ensuring information and resources are accessible and encouraging an environment that empowers Children to raise any concern for their safety and happiness;

(e) supporting the rights and wellbeing of their staff and volunteers;

(f) encouraging the active participation of everyone involved in football in building and maintaining a safe environment for all Members;

(g) implementing recruitment and screening practices for all appointments of people within football that support safeguarding of Children;

(h) supporting the continued education and training for all people involved in football to ensure that safeguarding information is provided on an ongoing basis. This includes providing ongoing education and awareness training for all staff and volunteers involved in the game to ensure they:

(i) are made aware of the signs and indicators of Abuse;

(ii) understand their responsibilities and duty in the protection of Children from harm; and

(iii) are instilled with the confidence to know where and how to report if they have a reasonable concern regarding the safety and wellbeing of a Child.

(i) reporting all forms of Abuse within football and working to ensure that all reports are dealt with in accordance with this policy and any associated procedures or guidelines;

(j) maintaining and improving safeguarding and member protection policies, procedures and practices annually as part of the ongoing compliance with safeguarding requirements, although reviews and alterations may occur more frequently due to legislative changes, organisational changes and incident outcomes; and

(k) encourage Children to provide feedback and have input into policies, systems and processes that relate to their safety, welfare and participation in football.

3.2 Roles and Responsibilities

For the purposes of the implementation and operation of this Policy, certain matters and responsibilities are delegated to the various entities and members. The role of each Football Entity, Member as well as Parents and Guardians in relation to this Policy is summarised below.

Role/Responsibility	
Football Entities	• Adopt, implement and comply with this policy • Make such amendments to their constitution, rules, or policies necessary for this Policy to be enforceable • Publish, distribute and promote this Policy and the consequences of breaches

Role/Responsibility	
	• Always promote and model appropriate standards of behaviour • Promptly deal with any breaches or complaints made under this Policy in a sensitive, fair and timely manner • Apply this Policy consistently • Recognise and enforce any penalty imposed under this Policy • Ensure that a copy of this Policy is available or accessible to everyone in which this Policy applies • Advocate and promote the rights of all Children, empowering and engaging Children in support of this Policy and associated expectations • Adopt and enforce a safer recruitment process by following all recommended actions outlined in Section 4 including the appropriate validations of all Working with Children Checks or state/territory equivalent as required • Allocate adequate resources to allow effective implementation of this Policy within their jurisdiction (as applicable) • Develop opportunities for regular discussion of safeguarding within the entity such as in team meetings, regular agenda times or member forums • Monitor and review this Policy at least annually
Members	• Complete all pre-screening requirements as required by your Football Entity • Make themselves aware of this Policy and comply with the Codes of Behaviour at all times • Place the safety and welfare of Children above other considerations and in line with this Policy and the Member Protection Framework • Being accountable for their behaviour • Not making false, misleading or vexatious claims against any other Member or person • Follow the procedures outlined in this Policy if they wish to make a complaint or Report a concern about possible Child Abuse, discrimination, harassment or other inappropriate behaviour • Complying with any decision and/or disciplinary measure imposed under this Policy
Parents and Guardians	• Make themselves aware of this Policy and comply with the Codes of Behaviour at all times • Not making false, misleading or vexatious claims against any other Member or person • Follow the procedures outlined in this Policy if they wish to make a complaint or Report a concern about possible Child Abuse, discrimination, harassment or other inappropriate behaviour • Place the safety and welfare of Children above other considerations and in line with this Policy and the Member Protection Framework

Role/Responsibility	
	• Being accountable for their behaviour

4. SAFER RECRUITMENT AND SCREENING

Safer recruitment and screening procedures ensure that Football Entities only employ and engage the most suitable candidates and that applicants who could pose a risk to Children are identified and prevented from being engaged in football. It is recommended that all Football Entities implement a safer recruitment process for the selection of all paid staff and volunteers which may include the following steps and components to ensure that there are as many safeguards as possible in place:

(a) Selection Criteria

All role and job descriptions should include a selection criteria in which the applicant can demonstrate their understanding and any experience they have in working with Children, including those with diverse needs or background

(b) Advertising

All roles involving interaction with Children should explicitly include reference to safeguarding in any advertisements and job descriptions.

(c) Interviews

(i) Open-style behavioural questions are to be utilised to give insight into the applicant's values, attitudes and understanding of professional boundaries and accountability,

(ii) Applicants should explicitly explain any gaps in employment.

(d) Pre-employment screening

(i) All Football Entities must ensure compliance with the screening obligations within their respective jurisdictions

(ii) Where a Working with Children Check or State/Territory equivalent is required, no one should commence in any role involving interactions with Children until screening of the applicant has been validated and verified by the Football Entity. In exceptional circumstances, activities can commence before screening process has been validated only when an applicant has submitted a screening check and is awaiting clearance. In such situations, additional supervision and a strict ban on working alone must be put in place.

(e) Referee Checks

At least two (2) reference checks should be conducted and documented. References should be requested to demonstrate the applicant's suitability to work with Children.

Additional Recruitment and Screening Procedures recommended:

(i) Confirmation of the identity of the applicant must be made. Forms or acceptable ID include passport or drivers' licence.

(ii) Substantiating qualifications, e.g. requesting original copies of certificates.

(iii) All roles involving interaction with Children must undertake Safeguarding Children Awareness Training through the Play by the Rules Child Protection

Online Course and present their certificate of completion to the relevant Football Entity prior to employment.

These steps and components should be read in conjunction with the Recruitment and Screening Procedures located in **ANNEXURE A** of this Policy.

5. CODES OF BEHAVIOUR

5.1 Performing duties within football (role boundaries)

Where a Member performs a role within football, whether as a paid employee or as a volunteer, they must act within the confines of their duties at all times unless exceptional circumstances apply.

It is recommended that, unless exceptional circumstances apply or it relates to the conduct of a parent, guardian (as applicable), all Members, particularly coaches, do not:

(a) engage in activities with Children who are members of a Football Entity, such as a Club, outside authorised Football Activities;

(b) provide any form of support to a Child, or their family, which is unrelated to Football Activities;

(c) provide unauthorised transportation. For example, any travel in a vehicle with a Child that is:

(i) without prior approval from parent, guardian or carer (as applicable); and

(ii) without prior knowledge of the relevant Football Administrator (e.g. the Club); or

(iii) at any time that is not directly related to the delivery of football services.

(d) seek to have contact with a Child outside of the provision of Football Activities including online or via social media; and

(e) accept any invitations to attend private social functions at the request of a Child who has participated or is participating in Football Activities, or at the request of their family or carer (as applicable).

For the purpose of this section, the authorisation should be a specific authority for a particular activity.

If any persons become aware of a situation in which a Child requires assistance that is beyond the confines of that person's role, or beyond the sporting environment, they should undertake any or all of the following at the earliest opportunity:

(f) contact the Child's parent, guardian or carer (as applicable) unless the concerns relate to one of these people; or

(g) refer the matter to an appropriate government child protection agency (for further details, see **ANNEXURE F** to this Policy); or

(h) submit an incident Report to www.footballaustralia.com.au/report or via the Safeguarding Report Form in **ANNEXURE D** or **ANNEXURE E** (as applicable) to this Policy. Further details on making a Report are contained in section 7 below.

5.2 Sexual Relationships and Sexual Misconduct

Under no circumstances is any form of sexual behaviour to occur between Children or between a Member and a Child whilst participating in or delivering Football Activities. This includes where the sexual behaviour is consensual and involves at least one (1) Member who is older than the legal age of consent in that jurisdiction.

Sexual behaviour is not permitted to occur between two consenting adults in the presence of, Child whist participating in or delivering Football Activities.

In this context and for the safety and wellbeing of Children, sexual behaviour is to be interpreted widely, to encompass the entire range of actions that could reasonably be considered to be sexual in nature, including but not limited to:

(a) 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration; and

(b) 'non-contact behaviour', such as flirting, sexual innuendo, sexual discussion, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

5.3 Giving Gifts to a Child

Individual staff, volunteers, administrators or Members should not provide or give a gift other than the provision of an award approved by the Football Entity to a Child to whom they provide a service unless the parent, guardian or carer has expressly consented, preferably in writing, to the giving of such a gift.

5.4 Taking Images and Videos of a Child

Football Entities request that all Members, wherever possible, obtain permission from a Child's parent/guardian before taking an image of a Child and ensure that the parent/guardian knows how the image will be used.

To respect people's privacy camera phones, video cameras and cameras cannot be used inside changing areas, showers and toilets which are controlled by a Football Entity or are used in connection with our sport. Any use of a camera phone, video camera or camera in these areas should be reported to your local Football Entity and/or if any criminal activity is suspected, reported to the Police.

If a Member captures or uses an image or video of a Child, the Member should ensure that:

(a) where practicable and unless they are the Child's parent, guardian or carer, they have consent from the Child's parent, guardian or carer, and are legally permitted to take such photos or videos;

(b) the image is appropriate and relevant to our sport;

(c) the context is directly related to participation in Football Activities;

(d) the photograph or video is taken in the presence of other Members, in particular, other adults; and

(e) the Child is suitably clothed in a manner that promotes or celebrates the sport and displays the Child's successes.

5.5 Use and Storage of Images and Videos of Children

Any image or video footage of any Football Activity, such as training or a Match, must be used appropriately and only in a manner that directly relates to the participation in football. Unless the parent, guardian or carer (as applicable) of a Child provides express written consent, Football Entities:

(a) must avoid naming or identifying the Child (unless exceptional circumstances apply);

(b) must not display any personal information such as residential address, email address or telephone numbers; and

(c) must not display information about hobbies, likes/dislikes, school, etc as this information can be used as Grooming tools by paedophiles or other opportunistic persons.

Photos or videos of Child should only be used or displayed, such as being exhibited on a website, a social media platform or in publications such an annual report, with parental, guardian or carer's (as applicable) knowledge and approval, for example through the use of a signed image consent form. Such images may be presented in a manner that de-identifies the Child. Any caption or accompanying text should be reviewed prior to publication and should ensure that it does not identify a Child, particularly as such identification may be detrimental. A suitable practice may be to only ever use the first name of a Child, and not include any other identifying information, such as an individual's surname.

All images or videos of Children must be stored securely and safely, which prevents unauthorised access. This could include storing printed images, or devices on which photographs or video recordings are stored in locked drawers, or electronic copies of photos and videos in password protected folders. Football Entities should only retain or store photos or videos of a Child or Children for the period and purpose for which the photo or video was taken and should be securely destroyed when no longer required.

In addition to the terms of this Policy, Members should always familiarise themselves and comply with any applicable laws or regulations within their State or Territory that relate to the capture, storage, use or sharing of photographs and video recordings of Children.

For the avoidance of doubt, this clause does not prevent parents, guardians or carers from taking photos or videos of their own Child.

5.6 Children and Behaviour Management Strategies

Children participating in Football Activities should be made aware of the acceptable limits of their behaviour so that a positive experience can be provided for all Participants. There are times, however, when a person in a position of authority, such as a coach, manager or administrator and which may include a Child, may be required to use appropriate behaviour management strategies to ensure:

(a) an effective and positive environment; and

(b) the safety and/or wellbeing of Children or other football Members.

In such circumstances, it is recommended that strategies are implemented that are fair, respectful and appropriate to the developmental stage of the Child or the particular support or care needs of the Child involved. The Child is to be provided with clear directions and given an opportunity to understand and then address their poor behaviour.

When dealing with such a scenario, Members should not take action that could reasonably be considered as:

(c) involving inappropriate physical contact, or

(d) degrading, embarrassing, cruel, frightening or humiliating; or

(e) otherwise negatively impacting on a Child.

5.7 Use of Language and Tone of Voice

Members should be mindful of the impact that the language and the tone of voice used may have on a Child involved in a Football Activity. Language and tone of voice used by Members towards or in the presence of Children should:

(a) provide clear direction, boost their confidence, encourage or affirm them;

(b) not be harmful to Children; and

(c) 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;

  (iv) profane or sexual; or

  (v) otherwise inappropriate.

5.8 Supervision

Any Member who is responsible for supervising a Child in the context of any Football Activities should strive to ensure that those participants in the Member's care:

(a) positively engage within the delivery of the Football Activity or facility;

(b) behave appropriately toward one another; and

(c) are in a safe environment and are protected from external threats.

Where possible, Members should avoid unsupervised situations with a Child participating in any Football Activities (unless otherwise permitted in accordance with this Policy) and to conduct all Football Activities and/or discussions with such a Child in view of other adults. This assists in developing a safe, accountable and responsible culture and environment within football.

It is recommended that during any Football Activity or program the following adult-to-Child ratios be implied:

(d) 1 adult per 10 Children aged 13 to 18,

(e) 1 adult per 8 Children aged 9 to 12,

(f) 1 adult per 6 Children aged 5 to 8, and

(g) 1 adult per 3 Children aged 4 and under.

If there are not enough adults present to achieve the recommended level of supervision, the activity may be cancelled. Ratios may differ where tours, camps, accommodation and trips away occur. Refer to your Governing Body for advice.

When one on one coaching is required, notification of the session time and location should be submitted to the parents, guardian or carer (as applicable) and to the relevant Football Entity in advance of such a Football Activity.

5.9 Use of Electronic or Online Communications and Social Media

Wherever possible, any social media and all electronic communication sent to a Child by any Member in position of authority or power, such as a coach, manager or administrator, should always be copied to their parent, guardian or carer (as applicable).

It is recommended that any direct communication or communication which does not relate to a Football Activity or related services between adult Members and a Child should be avoided.

Where a parent, guardian or carer (as applicable) is not included in the communication, it is recommended that Members:

(a) limit such communication to issues directly associated with delivering Football Activities, such as advising that a scheduled game is cancelled;

(b) avoid 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 could reasonably be interpreted as being of a sexual or inappropriate nature;

(c) must not use such communication to promote unauthorised 'social' activity or to arrange unauthorised contact;

(d) never request or require that a Child keep a communication a secret from their parents, guardians or carers (as applicable); and

(e) actively avoid any communication with a Child using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging from personal profiles or accounts.

All adult Members should take reasonable steps to ensure appropriate monitoring of Children when using the electronic communication equipment that is the property of a Football Entity to ensure that they do not inadvertently place the Child at risk of abuse or exploitation.

5.10 Physical Contact with Children

Any physical contact with Children must be appropriate to the delivery of Football Activities and based on the needs of that Child.

It is recommended that coaches should only use physical contact appropriate for the development of a particular skill and as long as the coach has the prior permission of the Child.

Under no circumstances should any Members have contact with a Child participating in Football Activities that:

(a) involves touching an intimate part of the body of a Child regardless of their age or physical development. Intimate areas may include:

  (i) genitals;

  (ii) buttocks; and

  (iii) the breast area;

(b) would appear to a reasonable observer to have a sexual connotation;

(c) is intended to cause unnecessary pain, harm or distress to the Child (for example any form of punishment that may involve hitting, kicking, striking, biting, pinching or shoving);

(d) is overly physical (for example, wrestling, horseplay, tickling or other roughhousing);

(e) is unnecessary (for example, assisting with toileting or showering 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 that person 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.

All Members are required to Report to the relevant Football Entity any physical contact initiated by a Child that is sexual and/or inappropriate, for example, inappropriate physical contact, Sexual Harassment or acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the Child, the Football Entity's staff and any other Members or participants.

For the avoidance of doubt, this section does not prevent medically trained Members acting in the course of their duties and delivering medical or health services to Children as and when required.

5.11 Overnight Stays and Sleeping Arrangements

There are times in the delivery of, or participation in, a Football Activity where a Child may be required to stay away from their home. Such overnight stays are to occur only with the prior, written authorisation of the Child's parent, guardian or carer (as applicable).

Many Football Entities may also require additional prior written authorisation to be sought. The relevant Football Entity may be contacted for clarification.

The practices and behaviour by all persons involved during an overnight stay must be consistent with those expected during delivery of a Football Activity and at all other times in relation to the appropriate interaction, support, and care for Children.

Standards of conduct that must be observed by all persons involved during an overnight stay include but are not limited to:

(a) providing Children with privacy when bathing and dressing,

(b) observing appropriate dress standards when Children are present – such as no exposure to adult nudity;

(c) preventing Children from being exposed to pornographic material, including but not limited to movies, television, the internet, magazines, smart or internet enabled devices, pornographic discussions or questions, and/or literature;

(d) not leaving Children under the supervision or protection of unauthorised persons such as hotel staff, volunteers, or friends;

(e) not involving sleeping arrangements that may compromise the safety of a Child. This may include, but is not limited to, unsupervised sleeping arrangements or an adult sleeping in the same bed or room as a Child;

(f) periodically supervising the areas where Children are resident or sleeping;

(g) respect the right of a Child to contact, and facilitate such contact with, their parents, guardian or carer (as applicable) if they feel unsafe, uncomfortable or distressed during the stay; and

(h) parents, guardians or carers (as applicable) being able to contact a Child during the overnight stay, and reasonably expecting that a Child can, if they wish, make contact with their parents, guardian or carer (as applicable).

It is the responsibility of the Member organising the overnight stay to ensure that:

(i) Children only share hotel rooms or bedrooms with other Children of the same gender and where possible the same or similar age;

(j) where a Child is involved in an overnight stay, that Child, and their parents, guardians or carers (as applicable), are consulted on the preferred sleeping arrangements, including the option to select the person of the same gender they would like to share with (where possible) or, if appropriate in the circumstances, whether the Child would prefer to stay on their own, whilst being supervised and periodically checked on during the night;

(k) Children who identify as transgender, intersex and/or non-binary gendered are consulted on their choice of sleeping arrangements;

(l) Children with specific needs, such as a disability, are specifically consulted with in relation to their needs and preferred sleeping arrangements; and

(m) there are adequate adult chaperones present, and any adult chaperones have been adequately screened, briefed and trained. Examples of an appropriate adult chaperone ratios are:

(i) minimum of two (2) adults for all overnight stays

(ii) where there are Children under the age of 16, two (2) adult chaperones to every four (4) Children; or

(iii) where there are Children over the age of 16, two (2) adult chaperone to every six (6) Children.

For further information Football Australia's Safeguarding website at www.footballaustralia.com.au/safeguarding or Play By The Rules.

5.12 Change room and toilet supervision and arrangements

It is normal that Children will be required to access changing rooms or toilet facilities in the course of participating in a Football Activity. While using such facilities, adult supervision of these Children is required while ensuring that the Child's right to privacy is also respected. While supervising Children in changing rooms or while using toilet facilities, adult supervisors need to use their discretion based on the age, developmental stage and needs of the Child, and in addition:

(a) avoid one-on-one situations with a Child in a change room area;

(b) all other adults should avoid using the change room area to, for example, undress, while any Children are present;

(c) adult supervisors need to ensure adequate supervision of Children in 'public' change rooms when they are used;

(d) adult supervisors need to provide the level of supervision required for preventing Abuse of a Child by members of the public, other adult Members involved in the Football Activity, a Child's peer from the Football Activity, or general misbehaviour, while also respecting a Child's privacy and specific needs for care and support;

(e) where a shared changeroom for match officials is being used, personnel should knock and await response prior to entering the changeroom. If changing in a shared changeroom is necessary, privacy may be achieved through the use of individual cubicles or showers;

(f) adult supervisors should take all reasonable steps to ensure that no photography of a Child occurs in a change room or toilet; and

(g) adult supervisors should knock loudly and announce themselves before entering a changeroom or showers that are being used by a Child.

5.13 Alcohol and Drugs and Safeguarding Children

Whilst supervising or otherwise being responsible for the safety and wellbeing of a Child or Children during or in connection with the delivery of or participation in a Football Activity, Members 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; or

(d) supply alcohol or drugs (including tobacco) to a Child or Children.

Members may use legal drugs (e.g. over-the counter or prescription medications) other than alcohol, provided such use does not interfere with a Member's ability to care for a Child or Children involved in a Football Activity.

5.14 Transporting Children

To ensure the safety and wellbeing of Children, a Child may only be transported by a person other than their parent, guardian or carer (as applicable) with prior written authorisation from the Child's parent, guardian or carer (as applicable). Such approval needs to be in writing. It is also recommended that notice of such an arrangement is provided in writing to the relevant Football Entity; for example, if occurring at Club level, then the appropriate person at the Club is notified of such arrangements in writing.

Examples of prior written approval could include electronic messaging formats such as email or SMS.

Gaining approval involves providing 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) the reason for the journey;

(c) the route to be followed, including any stops or side trips;

(d) details of anyone who will be present during the journey; and

(e) insurance information and, if a vehicle is being used, proof the driver is fully licensed for the vehicle that will be used.

For further information and guidance, refer to Football Australia's Safeguarding website at www.footballaustralia.com.au/safeguarding.

5.15 Employment or Engagement of Children

There may be occasions where a Child is engaged by a Football Entity or similar administrative body in relation to football, either in a paid or voluntary capacity. These roles may involve working for a Club, referee association or District Association. Situations may also arise where a Child has a pre-existing relationship with another Child that they may be involved with in the course of performing their duties, such as coaching or refereeing. For example, a coach and player may go to the same school and be friends outside football. It is recommended that in these circumstances the Football Entity or similar body that engages the Child ensures that the Children they engage:

(a) are aware that they are in a position of authority and therefore may have power over other Children;

(b) declare all pre-existing relationships especially where they communicate personally with another Child participating in the Football Activity; and

(c) are aware that this Policy applies to them due to being in a position of authority.

5.16 Massages and Children

It is recommended that Members do not perform any form of massage or similar activity with a Child unless they:

(a) have the consent of the Child; and

(b) are the parent, guardian or carer of that Child; or

(c) are engaged in a professional capacity by the Football Administrator and have the appropriate qualifications to support the physical conditioning, recovery, rehabilitation or injury presentation of that Child.

It is also recommended that medically qualified doctors should only provide medical services within the scope of their professional capacity and not provide massage services to Children unless appropriately trained to do so.

Where a Member has been engaged in a professional capacity to perform massage on a Child, that Member must provide a current copy of their validated WWCC and certificate of current qualification prior to performing such services.

5.17 Personal Support and Care for Children

Where a Child requires specific personal care and support (such as, specific assistance in dressing, or using the toilet facilities) while participating in any Football Activity, it is recommended that such personal care or support is only provided by someone whose sole role in relation to the Child is to address their personal care or support needs. In order to provide adequate support to Children with a disability, it is recommended that either a professional carer approved by the Child's family or the Child's parent or guardian should carry out the role of carer during football related activities. Such a carer should have a current validated WWCC and police check.

Some Children with disabilities, due to their need for practical assistance in daily living, may be more vulnerable to abuse and the risk may be greater where there are a number of carers. This may increase the potential for exposure to abusive behaviour and make it more difficult to set and maintain physical boundaries, In order to provide adequate support to Children with a disability, a professional carer approved by the Child's family or the Child's parent or guardian may carry out the role of 'carer' during football related activities.

6. HOW TO IDENTIFY FORMS OF ABUSE OF A CHILD

There are a range of different behaviours or conduct that may amount to Abuse of a Child. Increasing awareness and understanding of the forms and indicators of Abuse through education and facilitating an empowering, open and transparent culture in football will contribute to a safer environment for all Members, particularly Children.

By understanding the forms of Abuse and how to identify this type of conduct or behaviour, Members will be able to appropriately Report any safeguarding incidents, concerns, or Disclosures and further promote a safe and supportive environment in football.

6.1 Forms of Abuse

There are a range of different forms of Abuse and it is important that Members understand what they are and how to identify them to assist in protecting Children whilst participating in Football Activities.

ANNEXURE G to this Policy provides details of the behaviour or conduct that may constitute a number of forms of Abuse. It is important to note that this is not an exhaustive list and is intended to assist Members in understanding and identifying Abuse.

If a Member has any concerns regarding the conduct or behaviour in relation to a Child, including witnessing a particular incident, receiving a Disclosure from a Child or suspecting that a Child is the victim of Abuse, Members should Report this in accordance with the process prescribed in section 7 of this Policy.

6.2 Identifying the Indicators of Abuse

It is important for Members, including Children, to be able to identify the indicators of the various forms of Abuse. By being able to identify Abuse, Members are able to Report such behaviour or conduct and ensure that there is a zero tolerance for Abuse of Children in football and that there is a culture that encourages Members, including Children, to speak up about any concerns or inappropriate behaviour.

ANNEXURE G outlines a number of the common indicators of the various forms of Abuse. It is not an exhaustive list and is intended to be a tool to assist Members in identifying Abuse and increasing their knowledge of such behaviours and conduct. Some indicators or forms of Abuse are more immediately evident or obvious than others. The presence of one (1) or more of the indicators of Abuse should not be taken as proof of Abuse; however, Members do not require established proof or evidence to Report safeguarding concerns.

7. REPORTING A SAFEGUARDING INCIDENT, CONCERN OR DISCLOSURE

If you believe a Child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

To make a Child Abuse Report please visit www.footballaustralia.com.au/report

Further resources on reporting allegations of Abuse, including Child Abuse, in different states and territories are available in **ANNEXURE F** to this Policy.

7.1 What to Report

A Report is the process and recording of a safeguarding observation or incident or Disclosure made to a Football Entity by a person regarding the abuse, potential Abuse of, or misconduct or other inappropriate behaviour involving, a Child in relation to their participation in football. A Report should be made by any person who has a concern regarding; is aware of or has been the subject of or impacted by, a safeguarding incident, or receives a Disclosure from a Child using the Safeguarding Reporting Form (which is **ANNEXURE D** or **ANNEXURE E** (as applicable) to this Policy) or via the online Reporting Form, which is available via www.footballaustralia.com.au/report. For the purpose of this Policy, team selection and Children obtaining enough game time do not constitute Abuse and should not be reported but should be referred to the respective Club.

Under this Policy, Category 1 Matters relating to Child Abuse arising in the context of any Football Activity are mandated for reporting as outlined in section 7.3. This includes the situation where a Child discloses or is at risk of Abuse in situations outside a Football Activity (e.g. in the home). A person making a Report to a Football Entity may have a mandatory legislative obligation to report certain conduct or behaviour involving a Child to a government Child protection agency. Members are encouraged to familiarise themselves with the mandatory reporting and reportable conduct obligations that are applicable in their State or Territory. Members must always comply with the relevant State or Territory legislative reporting obligations in addition to making a Report to a Football Entity.

Members should never make a knowingly false, vexatious or misleading Report. If a Member makes such a Report, a Football Entity may elect to take disciplinary action against that individual in accordance with the applicable regulations, codes or policies (such as the National Code of Conduct and Ethics).

7.2 Categorisation of a Report

There are a number of factors that may apply to the matters referred to in a Report. For example, there may be different types of conduct and behaviour, degrees of severity of conduct or behaviour and the potential risk to the safety and wellbeing of a Child. Accordingly, Reports are assessed as being either:

(a) Category 1 Matter: is the most serious type of matters, where there is likely to be the highest risk of, or actual, damage to the safety and wellbeing of a Child. Category 1 Matters include, but are not limited to:

(i) conduct or behaviour that is likely to or has resulted in significant danger or damage to the wellbeing and safety of a Child;

(ii) any Report of that involves Sexual Abuse, a Sexual Offence, Sexual Harassment, Grooming, or any other criminal behaviour;

(iii) any Report of serious Abuse of a Child; and

(iv) any Report that is currently being investigated by or has been the subject of a determination or finding of guilt by the Police, government Child protection agencies, any regulatory or external agency or the courts.

(b) Category 2 Matter: is a serious matter that may involve localised or lower level conduct or behaviour and where there is no immediate or material concern regarding the safety and wellbeing of a Child. A Category 2 Matter may include, but is not limited to:

(i) conduct or behaviour that may be of concern but is not likely to or has not resulted in significant danger or damage to the wellbeing and safety of a Child;

(ii) any Report of less serious Abuse of a Child; and

(iii) any Report of recurring inappropriate behaviour or conduct that is not a serious or immediate concern or threat to the safety and wellbeing of a Child; and

(c) Category 3 Matter: is a matter that is not a Category 1 or Category 2 Matter. It may be a range of conduct or behaviour that may often be referred to as poor or improper practice. A Category 3 Matter includes but is not limited to:

(i) inappropriate conduct or behaviour that does not involve or is not related to Sexual Abuse or criminal matters

(ii) conduct or behaviour that may, at times, be inadvertent or unintentional;

(iii) unacceptable conduct or behaviour that is not Abusive or illegal;

In Reporting safeguarding matters to the appropriate level, Members should always make a Report where:

(iv) the Member has a reasonable concern about the safety, wellbeing or care of a Child; or

(v) the Member is aware of, witnessed, or was involved in a safeguarding incident involving a Child; or

(vi) the Member received a Disclosure from a Child.

A Reporter submitting a Category 1 Matter may remain anonymous. When submitting an anonymous Report, the Reporter must ensure that all details pertaining to the incident are submitted ensuring that as much detail as possible is outlined. If not enough or insufficient information is supplied, further action or steps, such as an investigation may not be able to be undertaken. Anonymous Reporting is available but discouraged for Category 2 Matters or Category 3 Matters on the basis that it may be difficult to effectively or use this information.

Further details regarding the Reporting procedure, including the process for making a Report and the handling and outcome of Reports, is set out in **ANNEXURE C** to this Policy.

7.3 How to make a Report

Football Australia's National Complaints Procedure

If the subject matter of a Report does not relate to the safeguarding of Children or Adults at Risk but is in relation to a reasonable belief that a Member has engaged in conduct that is prohibited under Football Australia Member Protection Framework, which is accessible on Football Australia's website at www.footballaustralia.com.au/report, please refer to Football Australia's National Complaints Procedure at www.footballaustralia.com.au/report.

(a) Reporting to a Football Entity

Members are encouraged to Report to a Football Entity by:

(i) completing the online Reporting form found at www.footballaustralia.com.au/report; or

(ii) by completing the Safeguarding Report Form in **ANNEXURE D** or **ANNEXURE E** (as applicable) to this Policy.

After completing the Safeguarding Report Form, a Member should provide this to the appropriate Football Entity, being for:

(i) a Category 1 Matter - Report to be submitted to your local Member Federation.

(ii) a Category 2 Matter or a Category 3 Matter - Report to be submitted to the Football Entity at the level at which the behaviour or incident occurred, where possible.

When a Report is submitted in accordance with this policy, all persons to whom this policy applies should avoid any unauthorised disclosure or any concerns or allegations in order to ensure the highest level of privacy, confidentiality and natural justice is maintained.

If the Reporter believes that abuse against a Child has occurred, then the Reporter is obliged to also contact the Police Assistance Line and or the State or Territory Government Child Protection Agency as below.

(b) Police Assistance Line 13 14 44

When submitting a Report, if the Reporter believes that there may have been a criminal offence committed against the Child, it is recommended that the Police Assistance Line is contacted on 13 14 44.

(c) Reporting to State or Territory Government Child Protection Agency

Each State and Territory has legislation which requires that certain conduct or behaviour involving a Child must be reported to a government Child protection agency. For further information, Members should contact the relevant government Child protection agency for their jurisdiction contained in **ANNEXURE F**.

Further details regarding the Reporting procedure, including the process for making a Report and the handling and outcome of Reports, is set out in **ANNEXURE C** to this Policy.

7.4 Provisional Action

If the Report relates to a Category 1 Matter or a Category 2 Matter, or there is an immediate concern regarding the safety and wellbeing of Children, or other Members generally, then Provisional Action may need to be taken by Football Australia.

Provisional Action means action that may be taken by Football Australia in respect of a Member who is alleged to have engaged in behaviour or abuse that is serious, such as the Report of a Category 1 Matter or Category 2 Matter. Upon receiving such a Report, if Football Australia reasonably believes that there is a serious and immediate threat or danger to the safety of a Child or Members generally, then Football Australia may take certain action in accordance with the applicable regulations, codes or policies (such as the National Code of Conduct and Ethics) until such time as the Report or safeguarding matter are resolved. Provisional Action may involve but is not limited to temporarily or indefinitely suspending a Member's registration with a Football Entity in relation to a specific role of function or from participation generally (e.g. temporarily or indefinitely suspending the registration of a referee or player) in accordance with the Football Australia National Code of Conduct and Ethics. Where a Member is provisionally suspended in relation to a Category 1 Matter or a Category 2 Matter, that provisional suspension may apply to all forms of football.

8. ADDITIONAL RESOURCES

(a) Play by the Rules – https://www.playbytherules.net.au/

(b) FIFA Guardians Child Safeguarding Programme - https://www.fifa.com/development/fifa-guardians/#web-07

(c) Office of Child Safety – Complaint Handling Guide – https://www.pmc.gov.au/resource-centre/domestic-policy/complaint-handling-guide-upholding-rights-Children-and-young-people

(d) eSafety Commissioner – https://www.esafety.gov.au/

(e) International Olympic Committee Consensus Statement: Harassment and abuse (non-accidental violence) in sport - https://bjsm.bmj.com/content/bjsports/50/17/1019.full.pdf

9. DICTIONARY AND INTERPRETATION

9.1 Dictionary

This Dictionary sets out the meaning of words used in this Policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory Child protection commissions or equal opportunity and anti-discrimination commissions.

If a capitalised term within this Policy is not defined within this Dictionary, its definition is as contained within the Football Australia Statutes.

In this Safeguarding Policy:

Abuse or **Abused** means Physical Abuse, Emotional Abuse (including psychological abuse), Sexual Abuse and abuse of power that has caused, is causing or is likely to cause harm to a person's wellbeing or development. Examples of Abuse include but are not limited to, Bullying, humiliation, verbal abuse and insults, Grooming, Harassment (including Sexual Harassment), Discrimination, Neglect and Sexual Exploitation.

Adult at Risk means a person who is 18 years of age or over and who has specific needs for care and support and is at risk of Abuse (or may have been Abused)and due to their care and support needs is unable to protect themselves from either the risk or from experiencing of Abuse.

Bullying is behaviour or conduct that involved the inappropriate use of power by one (1) or more persons in relation to a Child or a group of Children who are less powerful or in a position of vulnerability. Bullying may be a single incident or, as is often the case, an act that is repeated over time. Bullying may make a person feel unsafe or uncomfortable and may manifest in a variety of often interrelated forms, which may include:

(a) Verbal (such as name calling; putting that person or people down; or making threats)

(b) Physical (hitting, punching, kicking or spitting)

(c) Social (exclusion or isolation; ostracising or alienating a person or people)

(d) Psychological (spreading rumours; embarrassing someone in public or in front of their peers; hiding or damaging that person's or people's possessions; or stalking)

(e) Cyberbullying (using technology to target another person or people and may include harassment; threats; embarrassment; humiliation; or the spreading of rumours)

Category 1 Matter is the most serious type of matters, where there is likely to be the highest risk of actual damage to the safety and wellbeing of a Child. Category 1 Matters include, but are not limited to:

(a) Conduct or behaviour that is likely to or has resulted in significant danger or damage to the wellbeing and safety of a Child;

(b) Any Report that involves Sexual Abuse, a Sexual Offence, Sexual Harassment, Grooming, or any other criminal behaviour;

(c) Any Report of serious Abuse of/to a Child; and

(d) Any Report that is currently being investigated by or has been the subject of a determination or finding of guilt buy the Police, government Child protection agencies, any regulatory or external agency or the courts.

Category 2 Matter is a serious matter that may involve localised or lower level conduct or behaviour and where there is no immediate or material concern regarding the safety and wellbeing of a Child. A Category 2 Matter may include, but is not limited to:

(a) Conduct or behaviour that may be of concern but is not likely to or has not resulted in significant danger or damage to the wellbeing of a Child;

(b) Any Report of less serious abuse of a Child; and

(c) Any Report of recurring inappropriate behaviour or conduct that is not a serious or immediate concern or threat to the safety and wellbeing of a Child.

Category 3 Matter is a matter that is not a Category 1 or Category 2 Mater. It may be a range of conduct or behaviour that may often be referred to as poor or improper practice. A Category 3 Matter includes but is not limited to:

(a) Inappropriate conduct or behaviour that does not involve or is not related to Sexual Abuse or criminal matters;

(b) Conduct or behaviour that may, at times, be inadvertent or unintentional;

(c) Unacceptable conduct or behaviour that is not Abusive or illegal.

Child or Children means a Child, being person who is under the age of 16 years, or a young person, being a person who is aged older than 16 years but is under the age of 18 years.

Child Abuse involves conduct which puts Children at risk of harm (usually by adults, sometimes by other Children) and often by those they know and trust. It can take many forms, including verbal and physical actions and by people failing to provide them with basic care. Child Abuse may include:

(a) Physical Abuse;

(b) Sexual Abuse;

(c) Emotional Abuse; and

(d) Neglect.

Child Safety Officer means the person or people appointed by a Football Entity to have primary responsibility for the administration and management of safeguarding matters involving Children involving that Football Entity.

Disclosure is the process of a Child sharing with another person that they have been the subject of potential Abuse, Neglect or other misconduct or inappropriate behaviour

Emotional Abuse sometimes referred to as psychological abuse, is any conduct or behaviour that may cause emotional damage or undermine the wellbeing of a person. It may also occur when a Child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism; denigration; hostility; teasing/bullying; humiliation; placing unrealistic expectations on a Child; taunting; sarcasm; yelling; negative criticism; or name calling.

Family Violence and Abuse occurs when Children are forced to live with violence between adults in their home. It is harmful to Children. 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 increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

Football Australia means Football Federation Australia Limited, the governing body of football (soccer) in Australia.

Football Activity or **Football Activities** means any football-related program, service, event or activity that is delivered or authorised by a Football Entity. For the avoidance of doubt, this includes all football matches and training sessions.

Football Entity means Football Australia, a State Body Member, District Association, Regional Branch or Zone, a Competition Administrator or a Club, including a National League Club, as the case requires.

Governing Bodies means Football Australia and the Member Federations.

Grooming is a term used to describe the process of developing a relationship with and the trust of a Child, and sometimes the family or carers of that Child for the purposes of exploiting, Abusing, or otherwise harming them. The person forming the relationship with the Child may be an adult or another Child.

Harm is any behaviour or conduct that has a significant adverse effect on the physical, psychological or emotional wellbeing or welfare of a Child. Harm may manifest in a variety of ways and can be the product of a single incident or a series of repeated incidents which may involve at least one form of Abuse or Neglect.

Investigator means the person appointed by either a Football Entity or a Report Handler to investigate a Report or other safeguarding matters in accordance with this Policy.

Member means all registered participants, which includes Players, coaches, volunteers, administrators, Officials and referees. For the purpose of this Policy, a Member includes any person who is unregistered, but ought to have been registered under the National Registration Regulations (such as a player who participated in a Match).

Member Federation has the same meaning as in the Football Australia Statutes, being a State, Territory or regional federation or association that is a member or interim member of Football Australia from time to time and includes:

(a) Capital Football (www.capitalfootball.com.au/);

(b) Football New South Wales (www.footballnsw.com.au/);

(c) Football Northern Territory (www.footballnt.com.au/);

(d) Football Queensland (www.footballqueensland.com.au/);

(e) Football South Australia (www.footballsa.com.au/);

(f) Football Tasmania (www.footballfedtas.com.au/);

(g) Football Victoria (www.footballvictoria.com.au/);

(h) Football West (www.footballwest.com.au/); and

(i) Northern New South Wales Football (www.northernnswfootball.com.au/).

Member Protection Information Officer or **MPIO** means a person who has satisfied their state's or territory's requirements for becoming an MPIO. The MPIO is responsible for providing information about a person's rights, responsibilities and options to an individual making a complaint, Report or raising a concern, as well as support during the process. They may reside within a Football Administrator. They will have knowledge of the various

processes and policies that apply within the relevant Football Administrator. They are not a person who investigates matters, advises, or advocates for a Reporter or a complainant.

National Leagues means:

(a) the men's first division club competition in Australia, currently known as the A-League,

(b) the women's first division club competition in Australia, currently known as the W-League, and

(c) the national youth club competition in Australia, currently known as the Y-League.

National Leagues Club means a Club participating in at least one (1) of the National Leagues.

Neglect is the ongoing failure to meet or denial of the basic necessities of a Child and such failure is, or is likely to, have a detrimental effect on the health, development or level of care of that Child. This may include, but is not limited to, a failure to provide adequate or appropriate food and water, clothing, shelter including exclusion from the home environment, supervision, personal hygiene, or medical support and attention, or a failure to adequately address or respond to a Child's emotional needs.

Physical Abuse is any behaviour or conduct that causes or is likely to cause a Child to suffer non-accidental physical trauma or injury and may be intentional or the product of physical or aggressive treatment of a Child. Physical Abuse may include, but is not limited to, pushing or shoving, hitting or punching, slapping, kicking or other physical harm; giving a Child hazardous or dangerous substances, such as alcohol, drugs or posion; playing or training that is overly excessive or exceeds the Child's development or maturity; or certain physical punishments that cause or are likely to cause a Child to suffer physical trauma or injury.

Police Check means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.

Policy means this Safeguarding Policy.

Procedural Fairness incorporates the following principles:

(a) both the complainant and the respondent must know the full details of what is being said against them and have the opportunity to respond;

(b) no person may judge their own case; and

(c) the decision maker/s must be unbiased, fair and just.

Provisional Action means any action that may be taken by a Football Entity in respect of a Member who is alleged to have engaged in behaviour or Abuse that is serious, such as the Report of a Category 1 Matter or Category 2 Matter, pending the outcome or resolution of that matter.

Psychological Abuse – see Emotional Abuse.

Report is the process and recording of a safeguarding observation or incident, or Disclosure made to a Football Entity by a person regarding the potential abuse or, abuse, or misconduct or other inappropriate behaviour involving a Child in relation to their participation in football.

Reporter means a person making or who has made a Report.

Report Handler means any person in authority at the Football Administrator who may be required to manage Reports or safeguarding matters. This may include resolution, investigation and other action in respect of a Report (or appointing external investigators), as set out in this Policy. Report Handlers sit within the Football Administrator at each level.

Safeguarding Reporting Form means the prescribed form for reporting safeguarding incidents, concerns or Disclosures to a Football Administrator as outlined in **ANNEXURE D** or **ANNEXURE E** (as applicable).

Sexual Abuse is any act or conduct of a sexual or erotic nature by an adult or a Child in position of power or authority and which involves a Child, whether with their consent or not and may involve the exploitation of such a position of power or authority over this Child. This may include, but is not limited to:

(a) non-contact activities or conduct (directing sexual comments towards a Child; engaging in a sexual discussion with a Child in an online forum; indecent exposure; displaying sexual acts or content to a Child, such as images or pornography, or as a witness to a sexual act); or

(b) activities or conduct involving contact with a Child (kissing; touching a Child's genitals or breasts; forcing a Child to touch another person's genitals or breasts; masturbation; oral sex involving a Child; intercourse involving a Child).

Sexual Harassment means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual Harassment does not have to be intentional.

Sexual Offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

(a) rape;

(b) indecent assault;

(c) sexual assault;

(d) assault with intent to have sexual intercourse;

(e) incest;

(f) sexual penetration of Child under the age of 16 years;

(g) indecent act with Child under the age of 16 years;

(h) sexual relationship with Child under the age of 16 years;

(i) sexual offences against people with impaired mental functioning;

(j) abduction and detention;

(k) procuring sexual penetration by threats or fraud;

(l) procuring sexual penetration of Child under the age of 16 years;

(m) bestiality;

(n) soliciting a Child under the age of 16 years to take part in an act of sexual penetration or an indecent act;

(o) promoting or engaging in acts of Child prostitution;

(p) obtaining benefits from Child prostitution;

(q) possession of Child pornography; and

(r) publishing Child pornography and indecent articles.

Working with Children Check or WWCC means the relevant process for assessing or re-assessing whether a person is suitable to work in Child-related work in that state or territory.

9.2 Interpretation

To help guide in understanding this Safeguarding Policy, the following rules of interpretation apply:

(a) capitalised words which are not defined above have the meaning given to them in the Football Australia Statutes;

(b) the singular includes the plural and conversely;

(c) any use of the word "includes" or similar words such as "for example" or "such as" are not words of limitation;

(d) headings are for convenience only;

(e) where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings; and

(f) except for a matter determined in accordance with the Grievance Procedure, Football Australia will interpret all terms of the Football Australia Statutes (including this Safeguarding Policy) and any such interpretation will be final and binding on every person.

10. TRANSITIONAL MEASURES

Any Report, formal complaint or other safeguarding proceedings or tribunal proceedings that have commenced pursuant to the jurisdiction of the repealed Member Protection Policy prior to 18 December 2020 will continue as if the Member Protection Policy was still in place, to the extent necessary.

Any reference to Football Australia's National Member Protection Policy in any Football Australia Statutes will be read as a reference to the Football Australia Member Protection Framework.

ANNEXURE A. RECRUITMENT AND SCREENING PROCEDURES

1. RECRUITMENT AND SCREENING PROCEDURES

A robust recruitment process that promotes the safeguarding of Children will assist in ensuring that Football Entities employ and engage the most suitable applicants who will help to create and foster a safe environment.

It is recommended that all Football Entities implement a recruitment process for the selection of all paid staff and volunteers which includes at least the following steps and components.

1.1 Selection Criteria

Implementing selection criteria for all positions that involve working with Children will help in reducing the risk of appointing someone who poses a safety or safeguarding risk to these Children. It will also help to ensure that applicants have the specific knowledge, experience and skills required for the position, so it is recommended you highlight what skill and knowledge are needed to safely work with Children, and include these within the profile.

An example of appropriate selection criteria may include:

(a) 'Must have experience working with Children, Young People and Adults at Risk'; or,

(b) 'Must be able to demonstrate an understanding of appropriate behaviour when engaging with Children, Young People and Adults at Risk.'

Applicants should always have the opportunity to indicate or demonstrate their understanding and any experience they have in working with Children, including those with diverse needs or background.

1.2 Advertising

When advertising for a position, Football Administrators are encouraged to:

(a) include a clear statement about your Football Entities a commitment to safeguarding Children to deter unsuitable applicants who may pose a risk;

(b) promote the safety, participation and empowerment of all Children;

(c) acknowledge the importance of creating a safe environment for Children who are Aboriginal, have a disability or are from a culturally diverse background. Football Administrators may include a statement with all advertised positions which indicates this commitment, an example of such a statement is set out below.

"Name of Football Entity" is committed to the safety and wellbeing of all Children, Young People and Adults at Risk, with a focus on empowering Children, Young People and Adults at Risk who are Aboriginal or Torres Strait Islander, from a culturally diverse background or have a disability. Employment with "Insert Football Administrator" is subject to compliance with the Football Australia Safeguarding Policy.

1.3 Interviews

Football Entities are encouraged to implement an interview process in recruitment. Interviewing is an important step in selecting the right applicant and in identifying any applicant who may pose a risk to a Child. An open-ended style of behavioural questioning may be utilised to give insight into the applicant's values, attitudes and understanding of professional boundaries and accountability.

Prepare in advance the questions you want to ask; they should provide the applicant with the opportunity to share previous experiences and give examples of how they have or would handle situations. It's important to obtain information regarding an applicant's technical capabilities and it's also necessary to explore their attitudes and commitment to Child safety.

The following questions are example that may be used in the interview process:

(a) Tell us about why you want to work with Children and Adults at Risk?

(b) Describe a time when you had to manage a Child or Adult at Risk whose behaviour you found challenging? What was your process?

(c) Tell us about a time when you had to comfort a Child or Adult at Risk in distress? What was your process?

(d) What is your understanding of the Football Australia Safeguarding Children and Adults at Risk principles and Football Australia's Safeguarding Policy?

(e) What is your knowledge of mandatory reporting and or reporting process for Child Abuse? What would you do if a Child disclosed information about abuse? What would you do if they asked you not to tell anybody?

(f) Have you worked for another sport or Football Entity that had a code of conduct or code of behaviour before? If yes, what difference did it make to the way you viewed yourself and your work and that of teams you were in?

(g) Can you give me some examples of unsafe or unacceptable behaviours with Children during football activities?

(h) During your work you might encounter Children. How do you feel about that? Are there any age groups you feel more or less comfortable being in contact with? Asking follow-up questions about why an applicant has a strong preference can help you determine if there is a cause for concern.

(i) Have you worked/volunteered in a similar position before where you had contact with Children? What did you like about it? What did you find difficult?

(j) If you were concerned about the actions or behaviour of another adult towards Children, how would you respond? •

(k) What have you done when a colleague, team mate or friend has broken a rule, procedure or code of conduct?

(l) If you saw a parent or a member of the coaching team shouting at a Child, what would you do?

(m) What qualities have you observed in others that you have admired, particularly regarding their work with or care of Children?

(n) What do you think makes a good role model in football for Children and youth?

(o) Imagine you hear that a group of Children have been taking photographs of another Child in the changing room while they were undressing and posting them on the internet. How would you react? What would you do?

Football Entities are encouraged to take notice of the applicant's responses to the relevant questions and should seek further information if the applicant does not provide sufficient information in their responses. Football Entities should be wary of the following warning signs:

(a) unexplained lengthy gaps when detailing or describing employment history; or,

(b) the applicant says they do not value or need supervision; or,

(c) the applicant is evasive or inconsistent in their answers; or

(d) the applicant makes comment to 'loving Children', 'love being around Children', 'likes to be popular amongst Children', 'likes to make friends with the Children', 'like to be more than a coach to the Children' or similar.

(e) References should be conducted prior to any offer of appointment being made. If the references raise any concerns you are advised to escalate your concern to the Football Entity governing you.

1.4 Pre-employment Screening

Screening applicants is a vital component of any Football Entities recruitment process and will help in preventing individuals who may pose a risk to Children from entering the organisation. In many States/Territory, the screening of volunteers and paid employees is compulsory under the respective legislation. All Football Administrators must ensure compliance with the screening obligations within their respective jurisdictions. The following screening checks may be utilised:

(a) Police Checks

Members of the workforce in a position that has direct and regular contact with Children may be asked to complete a Police Check (or equivalent). A Police Check involves identifying and releasing any disclosable and relevant criminal history information subject to relevant spent convictions/non-disclosure legislation and/or information release policies.

(b) International Police Checks

When screening overseas applicants or applicants who have spent more than six (6) months abroad, it is recommended that the applicant obtain and provide the details of an international police check, police clearance or criminal history check (or the jurisdictional equivalent).

(c) Working with Children Check (***WWCC***)

A WWCC (or jurisdictional equivalent) aims to create a Child-safe environment to protect Children involved in football from physical and sexual harm. The WWCC assesses the suitability of people to work with Children and varies in each jurisdiction but may involve:

(i) criminal history checks;

(ii) signed declarations;

(iii) reference checks; and

(iv) other relevant background checks to assess a person's suitability to work or volunteer with Children.

WWCC legislation is currently in place across every State/Territory in Australia. WWCC requirements vary across Australia, requirements of the respective State/Territory can be accessed via the relevant government agency in each jurisdiction. Further information is also available via Football Australia's Safeguarding website at www.footballaustralia.com.au/safeguarding.

All Members must comply with the applicable WWCC legislation in their State or Territory. In addition to the mandatory WWCC requirements in each State and Territory, it is recommended that all Members who have direct contact with Children in relation to their delivery of, or participation in, a Football Activity be required to obtain and maintain a current and valid WWCC, including a parent, guardian or carer of a Child who performs a role in relation to a Football Activity.

In many States and Territories, where an individual who:

(v) visits, or is appointed on a short-term basis to a position in, another State or Territory than their normal residence or primary place of work; and

(vi) such a visit exceeds 30 days, whether as a volunteer or paid employee of the Football Entity,

that individual may be required to obtain a WWCC under the respective State/Territory legislation. Football Entities are strongly encouraged to refer to the respective State/Territory legislation or consult with the relevant government agency to ensure compliance.

All individuals travelling with Children where an overnight stay is involved must obtain a valid WWCC prior to departure.

1.5 Referee Checks

With respect to a paid employee, once an applicant has completed a successful interview, the Football Entity is encouraged to contact a minimum of two (2) of the applicant's referees which will provide insight into the applicant's character and skills.

An applicant's referees should be asked to provide insight into the applicant's experience with working with Children. The Football Entity should establish the referee's relationship with the applicant by asking appropriate questions.

An example of such questions may include or be similar to the following:

(a) How long the applicant and referee worked together?

(b) The specifics of the applicant's position?

(c) The applicant's perceived strengths and weaknesses?

(d) Do you know of any reason why we should be concerned about this applicant regarding their conduct with Children?

(e) How would you describe the personal character of the applicant?

(f) In the time you have known the applicant, is there anything that has led you to believe that they are unsuitable to be in contact with Children?

(g) Would you be happy to have the applicant working with your organisation again/with Children?

Personal referees or written references are discouraged for the purposes of reference checking and are not considered a sufficient means of screening a potential employee as they can be easily fabricated by an applicant.

1.6 International Visitors (visiting or short-term posting)

All international visitors or short-term appointments that are engaged in Child-related work should be encouraged to provide, in addition to any other legislative requirements, a current criminal history check covering each country that they have lived in for more than 12 months in the past five (5) years.

1.7 Safeguarding Children Awareness Training

All Football Administrators are encouraged to maintain the highest standards in safeguarding of Children.

It is recommended that all Football Administrators make it mandatory for all Members who have direct and regular contact with Children to complete the Play by the Rules Child Protection Online Course, which is available via the Play by the Rules website. The course is available free of charge and individuals will be provided with a certificate upon completion. A copy of the certificate should be retained by the individual Member and may be required to be sent to a nominated representative within a Football Administrator as evidence of completion.

ANNEXURE B. DISCLOSURE OF A SAFEGUARDING INCIDENT BY A CHILD

1. DISCLOSURE OF A SAFEGUARDING INCIDENT BY A CHILD

1.1 What is a Disclosure?

A Disclosure is the process of a Child sharing with another person that they have been the subject of potential Abuse, Neglect or other misconduct or inappropriate behaviour. It is important to acknowledge that it takes extraordinary bravery and courage to share these types of matters with another person and all Members and Football Administrators must take the necessary steps to ensure that the Child is supported, feels as though they have been heard and believed, protected and cared for.

A Disclosure may be direct or indirect. A direct Disclosure is a Child expressly sharing with another person what has occurred. An indirect Disclosure may occur when a Child communicates what has happened to them to another person inadvertently or deliberately via their behaviour, art or writing, emotions, appearance or other forms of communication or expression.

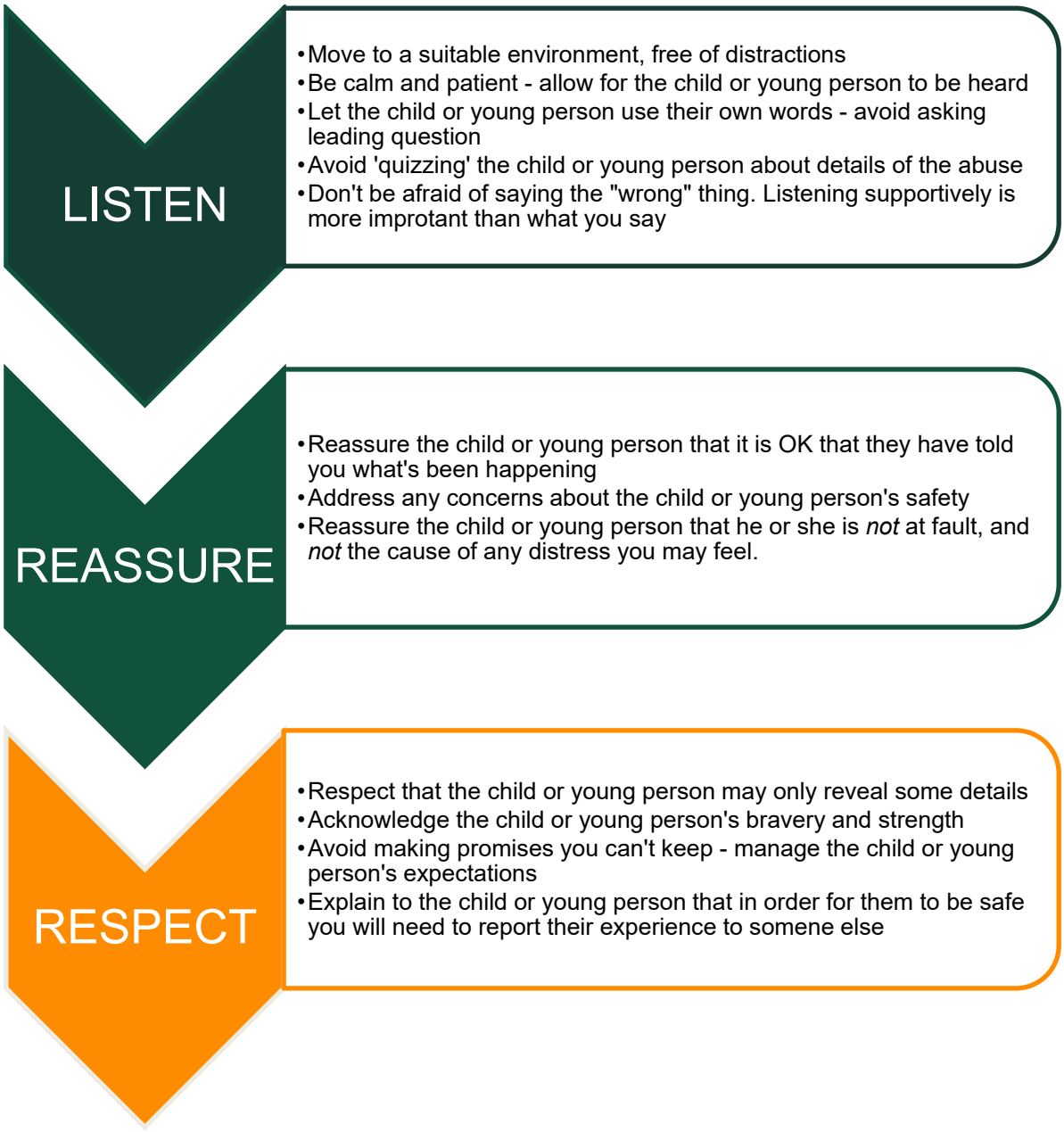
For further information Disclosures, including guidance on taking a Disclosure, refer to Football Australia's Safeguarding website at www.footballaustralia.com.au/safeguarding.

1.2 Recording a Disclosure

It is important to ensure that the details of the Disclosure are recorded as soon as practicable after receiving the Disclosure and the immediate needs of the Child have been satisfied, and the Police or other authorities have been contacted, if necessary.

For further guidance and support on recording a Disclosure, refer to Football Australia's Safeguarding website at www. footballaustralia.com.au/safeguarding.

2. RESPONDING TO CHILDREN AND YOUNG PEOPLE'S DISCLOSURE OF ABUSE



ANNEXURE C. REPORTING PROCEDURE: REPORTING A SAFEGUARDING INCIDENT, CONCERN OR DISCLOSURE

1. REPORTING A SAFEGUARDING INCIDENT, CONCERN OR DISCLOSURE

If you believe a Child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

To make a Child Abuse Report please visit www. footballaustralia.com.au/report

Further resources on reporting allegations of Abuse, including Child Abuse, in different states and territories are available in **ANNEXURE F** to this Policy.

1.1 What is a Report

A Report is the process and recording of a safeguarding observation or incident or Disclosure made to a Football Entity by a person regarding the abuse, potential Abuse of, or misconduct or other inappropriate behaviour involving, a Child in relation to their participation in football. A Report should be made by any person who has a concern regarding, is aware of or has been the subject of or impacted by, a safeguarding incident, or receives a Disclosure from a Child using either the:

(a) online Reporting Form, available via www. footballaustralia.com.au/report; or

(b) Safeguarding Reporting Form (which is **ANNEXURE D** or **ANNEXURE E** (as applicable) to this Policy).

A person making a Report to a Football Entity may have a mandatory legislative obligation to report certain conduct or behaviour involving a Child to a government Child protection agency. Members are encouraged to familiarise themselves with the mandatory reporting and reportable conduct obligations that are applicable in their State or Territory. Members must always comply with the relevant State or Territory legislative reporting obligations in addition to making a Report to a Football Entity.

Members should never make a knowingly false, vexatious or misleading Report. If a Member makes such a Report, a Football Entity may elect to take disciplinary action against that individual in accordance with the applicable regulations, codes or policies (such as the National Code of Conduct and Ethics).

1.2 How to make a Report

Members are able to make a Report by completing the online reporting form found at www. footballaustralia.com.au/report or to a Football Entity by completing the Safeguarding Report Form in **ANNEXURE D** or **ANNEXURE E** (as applicable) to this Policy.

After completing the Safeguarding Report Form, a Member should provide this to the appropriate Football Entity as specified in **ANNEXURE D** or **ANNEXURE E** (as applicable) below. The Safeguarding Report Form includes contact details for Football Australia and the Member Federations. However, if the Report relates to a:

(a) Category 2 Matter or Category 3 Matter; and

(b) behaviour or conduct at a District Association / local Competition Administrator level or Club level,

Members should contact the relevant Football Entity for further information on how to lodge the Safeguarding Report Form with that Football Entity.

Football Australia's National Complaints Procedure

If subject matter of a Report does not relate to the safeguarding of Children or Adults at Risk but is in relation to a reasonable belief that a Member has engaged in conduct that is prohibited under Football Australia Member Protection Framework, which is accessible on Football Australia's website at [insert link], please refer to Football Australia's National Complaints Procedure at [insert link].

1.3 Categorisation of Report

There are a number of factors that may apply to the matters referred to in a Report. For example, there may be different types of conduct and behaviour, degrees of severity of conduct or behaviour and the potential risk to the safety and wellbeing of a Child. Accordingly, Reports are assessed as being either:

(a) a Category 1 Matter: is the most serious type of matters, where there is likely to be the highest risk of or actual damage to the safety and wellbeing of a Child. Category 1 Matters include, but are not limited to:

(i) conduct or behaviour that is likely to or has resulted in significant danger or damage to the wellbeing and safety of a Child;

(ii) any Report of that involves Sexual Abuse, a Sexual Offence, Sexual Harassment, Grooming, or any other criminal behaviour;

(iii) any Report of serious Abuse of a Child; and

(iv) any Report that is currently being investigated by or has been the subject of a determination or finding of guilt by the Police, government Child protection agencies, any regulatory or external agency or the courts.

(b) a Category 2 Matter: is a serious matter that may involve localised or lower level conduct or behaviour and where there is no immediate or material concern regarding the safety and wellbeing of a Child. A Category 2 Matter may include, but is not limited to:

(i) conduct or behaviour that may be of concern but is not likely to or has not resulted in significant danger or damage to the wellbeing and safety of a Child;

(ii) any Report of less serious Abuse of a Child; and

(iii) any Report of recurring inappropriate behaviour or conduct that is not a serious or immediate concern or threat to the safety and wellbeing of a Child.

(c) a Category 3 Matter: is a matter that is not a Category 1 or Category 2 Matter. It may be a range of conduct or behaviour that may often be referred to as poor or improper practice. A Category 3 Matter includes but is not limited to:

(i) inappropriate conduct or behaviour that does not involve or is not related to Sexual Abuse or criminal matters

(ii) conduct or behaviour that may, at times, be inadvertent or unintentional;

(iii) unacceptable conduct or behaviour that is not Abusive or illegal;

1.4 Reporting safeguarding matters to the appropriate level

Members should always make a Report where:

(a) the Member has a reasonable concern about the safety, wellbeing or care of a Child; or

(b) the Member is aware of, witnessed, or was involved in a safeguarding incident involving a Child; or

(c) the Member received a Disclosure from a Child.

If the Member has concerns regarding the immediate safety and wellbeing of a Child, they should contact the Police by calling 000 immediately. There may be an additional obligation to notify government Child protection agencies in the Member's State or Territory in relation to the mandatory reporting of certain behaviour or conduct, or reportable conduct obligations, of incidents involving Children. For further information regarding mandatory reporting or reportable conduct obligations, Members should contact the relevant government Child protection agency outlined in **ANNEXURE F** to this Policy.

The general principle is that where practicable safeguarding matters should be dealt with at the level of the sport that the behaviour, conduct or incident occurred. This reflects the federated structure of football and that the Football Entity at that level is likely to be best equipped to manage or deal with a safeguarding matter in the first instance. Therefore, safeguarding matters that are:

(d) a Category 2 Matter or a Category 3 Matter, be Reported to and dealt with or managed by the Football Entity at the level at which the behaviour or incident occurred, where possible; and

(e) a Category 1 Matter, be Reported to and dealt with or managed by Football Australia or may be delegated to the Member Federation

The following summary examples are provided by way of illustration in the event of a Category 2 Matter or a Category 3 Matter:

(f) Club level matter: incidents that occur at club level, or that involve people operating at club level, should be Reported to and handled by the Club at first instance;

(g) District Association, Regional Branch, Zone, or local Competition Administrator level matter: incidents that occur at District Association, Regional Branch, Zone, or local Competition level, or that involve people operating at District Association, Regional Branch, Zone, or Competition Administrator level, should be reported to and handled

by the District Association, Regional Branch, Zone, or local Competition Administrator at first instance;

(h) Member Federation level matter: incidents that occur at state level, or that involve people operating at state level, should be reported to and handled by the State Member Body at first instance; and

(i) Football Australia level matter: only matters occurring at the national level (e.g. incidents that occur at the National Team level or that involve people operating at the National Team level or at a National Leagues Club) or the most serious matters, should be handled by Football Australia.

Where a Football Entity other than Football Australia receives a Report of a Category 1 Matter, that Football Entity must confidentially notify Football Australia by providing a copy of the Safeguarding Report Form to Football Australia by email to safeguarding@footballaustralia.com.au.

1.5 Reporting to State or Territory government Child protection agency and the Police

If a Member or Football Entity believes a Child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Each State and Territory has legislation which requires that certain conduct or behaviour involving a Child must be reported to a government Child protection agency, which is often referred to as mandatory reporting or reportable conduct (depending on the jurisdiction). Members are encouraged to familiarise themselves with the reporting requirements that are applicable to their State or Territory. For further information, Members should contact the relevant government Child protection agency for their jurisdiction contained in **ANNEXURE F**.

If a Football Entity receives a Report which relates to a Category 1 Matter, such as serious Abuse of a Child, and the Football Entity reasonable believes that the Child is, has been, or is at risk of being, the subject of Abuse, the Football Entity must report the matter to the relevant State or Territory government Child protection authority. It is also recommended that a Football Entity report this to the Police Assistance Line on 131 444.

If the Football Entity receives a Report which relates to a Category 2 Matter or Category 3 Matter, the Football Entity may:

(a) subject to any legislative mandatory reporting obligations, elect to report the matter to the State or Territory government Child protection agency or the Police (via the Police Assistance Line on 131 444), particularly if there is any concern for the safety or wellbeing of a Child; or

(b) handle the report in accordance with the processes outlined in section 3.6 below.

1.6 Handling a Report

(a) How will a Report be Managed?

All Reports will be dealt with and managed in accordance with any and all legal and regulatory obligations, including in relation to any applicable mandatory reporting or reportable conduct legislation. The person handling a Report on behalf of a Football

Entity should consider all their legal and regulatory obligations, including those of the Football Entity, such as employment law considerations.

In handling a Report, Football Entities should aim to manage and deal with a Report as effectively and efficiently as possible. However, in handling Reports under this Policy, there are some minimum standards that apply. Football Australia and Football Entities must:

(i) deal with the Report promptly, seriously and sensitively and in accordance with the terms of this Policy;

(ii) treat Reports and safeguarding matters in a consistent and fair manner (whilst acknowledging that each Report is unique);

(iii) recognise that Procedural Fairness is the minimum standard of fairness to be applied in the determination of a Report (if applicable);

(iv) keep the Report confidential and not disclose a Report to another person, except if:

(A) required by law; or

(B) disclosure is necessary to effectively deal with the Report or safeguarding matter in accordance with this Policy (which may include disclosure to the Police or relevant State or Territory government Child protection agency);

(v) respect the parties' privacy and comply with all applicable privacy laws, including under the *Privacy Act 1988* (Cth);

(vi) ensure that all Reports received are properly documented and securely stored;

(vii) where possible, keep the parties reasonably informed and updated about the process; and

(viii) take all necessary steps to make sure that people involved in a Report or safeguarding matter are not victimised or harassed and, if they are, ensure that appropriate disciplinary action is taken.

In relation to confidentiality and privacy, Reporters or complainants should note that if they wish to remain anonymous, the Football Entity may have difficulty assisting them to resolve their Report. In line with the principle of Procedural Fairness, the Football Entity may be required ultimately to provide the person/people complained about with reasonable details of the matters contained in the Report so they have an opportunity to be heard and/or to respond in any disciplinary proceedings.

(b) Receipt of a Report by a Report Handler

After receiving a Report, and based on the material provided by the Reporter, the Report Handler will decide whether:

(i) they are the most appropriate person to receive and handle the Report;

(ii) the nature and seriousness of the Report requires any immediate action, such as notifying authorities or Provisional Action;

(iii) to investigate further or appoint another person to investigate the Report (in accordance with Section 3.7;

(iv) to provide a report of the matter to the Football Entity recommending certain actions or disciplinary action e.g. under the National Code of Conduct and Ethics;

(v) to refer the matter to the Police or other appropriate authority; and/or

(vi) to implement any other interim arrangements that will apply until the process is completed.

(c) Matters for the Report Handler to take into account

In dealing with a Report, the Report Handler will take into account:

(i) whether they have had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the Report;

(ii) the relationship between the any of the parties involved in the Report (e.g. an actual or perceived power imbalance between a Child and an alleged perpetrator of Abuse or other misconduct);

(iii) whether the facts of the Report are clear or require further fact finding; and

(iv) the urgency of the Report, including the possibility that the Reporter or a Child may be at risk, or face further unacceptable behaviour while this process is underway.

(d) Further steps to be taken by the Report Handler

If the Report Handler is the appropriate person to handle the Report, they will, where appropriate and/or necessary:

(i) conduct further investigations, including by providing sufficient details about the information received in the Report to the person that the Report relates to and ask for a response;

(ii) decide if there is enough information to determine whether the conduct or behaviour alleged in the Report did or did not occur; and/or

(iii) determine what, if any, further action to take, including referring the matter for investigation or recommending disciplinary action in accordance with the Football Entity's regulations, including the National Code of Conduct and Ethics.

1.7 Investigation process

If an investigation needs to be conducted to gather more information about a Report, an impartial person will undertake the investigation (***Investigator***). This may be a person from within the Football Entity, such as the Report Handler or another appropriate staff member such as a legal professional or person with experience in conducting investigations (such as a background in law enforcement). Or, if appropriate in the circumstances, an independent external investigator may be appointed.

Appointing an independent external investigator in appropriate cases may assist in giving people confidence and trust in the Football Entity's Report processes procedures, without the need to escalate a matter to another organisation.

If an external investigator is appointed, the Football Entity must provide them with a written brief outlining the terms of their engagement and their roles and responsibilities.

In conducting an investigation, an Investigator may:

(a) interview the Reporter, the Child who is the alleged victim and any other affected party and record the interview(s) in writing;

(b) convey sufficient details of matters contained in the Report, such as the alleged conduct or behaviour, to the alleged perpetrator(s) of Abuse or other misconduct so that they can respond.

(c) interview the alleged perpetrator(s) of Abuse or other misconduct to allow them to answer the matters contained in the Report and record the interview in writing.

(d) obtain statements from witnesses and other relevant evidence to assist in establishing the facts, if there is a dispute over the facts.

(e) deliver a report to the relevant Football Entity as to whether in their view the Report is:

  (i) Substantiated (there is sufficient evidence to support the Report);

  (ii) Inconclusive (there is insufficient evidence either way);

  (iii) Unsubstantiated (there is sufficient evidence to show that the Report is unfounded); and/or

  (iv) Mischievous, vexatious or knowingly untrue; and

  (v) if requested, recommend whether action should be taken in accordance with the National Code of Conduct and Ethics or any other relevant rules, regulations or codes.

The parties involved in this process will be entitled to support throughout the investigation process from their chosen support person or adviser (e.g. an MPIO or other person).

All parties should note that the Investigator is not seeking to resolve the matter, or to decide whether any breach of any football regulations (including the National Code of Conduct and Ethics) has occurred, or to impose any penalty.

The Investigator may make recommendations in their report. However, any decision about a breach must be referred to the relevant Football Entity to consider and determine in accordance with their rules and, where applicable, the National Code of Conduct and Ethics.

1.8 Confidentiality of a Report

In relation to confidentiality and privacy, a Reporter should note that if they wish to remain anonymous, the Football Entity may have difficulty assisting them to resolve, manage or deal with their Report. In line with the principle of Procedural Fairness, the Football Entity may be required ultimately to provide the person/people whose behaviour or conduct is of concern or who have allegedly perpetrated the Abuse of a Child with reasonable details of matters

contained in the Report so they have an opportunity to be heard and/or to respond in any disciplinary proceedings.

Any Member who becomes aware of or is involved with a Report must maintain the confidentiality and privacy of the Report and all individuals involved unless doing so would compromise the welfare of a Child or impair the handling and management of the Report in accordance with this Policy.

A failure to respect the confidentiality or privacy obligations (if applicable) in respect of a Report or safeguarding matter may be the subject of a disciplinary process in accordance with the applicable regulations, codes or policies (such as the National Code of Conduct and Ethics).

1.9 How long it will take to deal with a Report

Not all cases are alike. It is therefore hard to put a precise timeframe on resolving a Report or safeguarding matter.

It may also depend on the type of conduct or behaviour to which the Report or matter relates. While all Reports and safeguarding matters are taken seriously, there may be varying degrees of severity depending on the nature and extent of the behaviour or conduct. It may be that less serious incidents or matters may be resolved more quickly and informally. However, the more complex or serious matters may require immediate interim action but often involve a range of steps during the process and take longer to investigate and resolve. Where formal proceedings are commenced, timelines can extend.

However, Football Entities should respond to Reports as quickly as possible to help mitigate risks, protect the safety and wellbeing of Children and prevent the situation worsening. Where possible, receipt of a Report should be acknowledged by the Football Entity within 48 hours.

Serious Reports (typically Category 1 Matter or Category 2 Matter) such as Abuse, including Child Abuse, physical assault, Sexual Harassment and Sexual Offences should be responded to as an absolute priority.

Should the Report be a matter in which the Police or a government agency are investigating the relevant Governing Body may elect to stay any current action or delay commencing any action in accordance with this Policy pending the outcome of such a Police or government agency process. A Member should refer to the Governing Body for advice.

1.10 Escalating matters within football

(a) When to escalate a matter

The nature of the conduct or behaviour will contribute to determining the level at which a Report should be addressed in the first instance. Where possible, Reports should be dealt with and managed at the lowest level practicable. However, where a Reporter or affected party, such as a Child or their parent, guardian or carer (as applicable), is not satisfied with the handling of a Report or a safeguarding matter, or it would not be appropriate to raise the Report or safeguarding matter at the lower level (for example, due to a conflict of interest or risk of victimisation), they may escalate their Report to the next level.

Whilst it is up to the Football Entity to decide whether to take any disciplinary action against a Member following a Report (such as under the National Code of Conduct and Ethics), the Football Entity must always handle the Report in accordance with the minimum standards outlined in this Policy.

A Reporter or affected party may wish to escalate a matter if they feel that a Football Entity has not handled the Report or safeguarding matter in accordance with this Policy. However, it is not enough that the Reporter or affected party disagrees with the outcome. They must demonstrate that the appropriate processes were not followed by the Football Entity in dealing with the Report or safeguarding matter. In other words, there is no right of appeal from a Football Entity's discretionary decision not to take disciplinary action against a Member, provided the Football Entity has acted in accordance with this Policy.

(b) Disciplinary proceedings

Escalations of matters under this Policy are different to appeals or reviews of disciplinary action taken by a Football Entity.

Where formal disciplinary proceedings have commenced in relation to a matter the subject of a Report, a Reporter or affected party (or any other party) may not be able to escalate a matter within football unless that procedure has been completed and followed. All parties must respect and follow the formal disciplinary proceedings within football.

Reporters or affected parties may not be a party to such disciplinary proceedings and therefore may not have a right of appeal to decisions made by a Football Entity.

1.11 Outcome of Reports

(a) Notifying a Reporter of the outcome of a Report

Depending on the circumstances and a number of contextual factors, such as the nature and severity of the conduct or behaviour to which a Report relates, whether the safeguarding matter was reported to or involved any authorities (such as Police or the relevant State or Territory government Child protection agency) and any or any action taken pursuant to this Report, a Football Entity may elect to notify a Reporter of the outcome of a Report. However, there is no mandatory obligation to notify a Reporter of the outcome of such a Report given the nature of safeguarding matters.

(b) Outcomes other than disciplinary action

Depending on the nature and severity of the conduct or behaviour complained of in the Report, there may be a range of ways that a Report or safeguarding matter may be addressed. Based on the context of a Report or safeguarding matter, a Football Entity may take a range of actions in relation to the outcome of the safeguarding matter or Report, which may include but is not limited to:

(i) requiring an apology to a Child or an affected party;

(ii) requiring that a Member is monitored or observed while performing their role within football;

(iii) counselling the Member on their conduct or behaviour; and

(iv) providing education to a Member or a group of Members.

(c) Disciplinary and other football proceedings

Following a Report and any subsequent investigation or fact finding process, where a Football Entity considers that one of its Members has engaged in conduct that has engaged in conduct that requires further action, they may consider commencing disciplinary proceedings.

This Policy does not provide the basis for disciplinary action in football. Rather, a Football Entity must take action under the relevant disciplinary rule, code or regulation.

Most safeguarding matters which require disciplinary action will fall under the National Code of Conduct and Ethics. The National Code of Conduct and Ethics provides a process to be followed before a disciplinary sanction may be issued. This process is provided in line with the principles of Procedural Fairness.

Football Entities may also implement supplementary codes, rules or regulations to regulate behaviour in their jurisdiction (provided they are not inconsistent with the National Code of Conduct). They may also provide a grievance procedure for the resolution of disputes between their Members.

(d) Matters that are not for resolution under this Safeguarding Policy

While Football Entities will take all reasonable steps to help facilitate a resolution to a Report, they may ultimately consider that the conduct or behaviour that the Report relates to is not a football safeguarding matter for resolution under this Policy or cannot be resolved within this Policy. It may be better dealt with another way and/or the law requires the Report or allegation to be reported to and/or dealt with by an appropriate authority. The Football Entity will advise the Reporter if this is the case.

This might occur where:

(i) there is a legal or regulatory requirement for certain behaviour, conduct or types of safeguarding incidents to be dealt with or reported to the authorities (such as the Police or government Child protection agency) or other external agency; or

(ii) the matter is not sufficiently connected to football and is more appropriately addressed through other external means, such as civil legal action or reporting the matter to Police.

A Member may raise a matter, concern or incident with an appropriate external agency at any time.

1.12 Resolving a safeguarding matter

(a) Concluding a Report or safeguarding matter

When a Report is made to a Football Entity under this Policy, it is concluded within football via the processes set out below. It is:

(i) resolved by a Football Entity (e.g. steps may be taken within football to protect the Child or certain action may be taken to address the behaviour or conduct of the individual that is of concern);

(ii) dealt with as a disciplinary matter (e.g. under the process provided in the National Code of Conduct and Ethics);

(iii) withdrawn by the Reporter to be dealt with elsewhere (such as an government Child protection agency or the Police); or

(iv) closed by the Football Entity (e.g. because the Football Entity has determined that no further action is necessary or that it would be more appropriate for the matter to be dealt with by an external body).

(b) Documenting the Report or safeguarding matter

The Football Entity must document all Reports and safeguarding matters, the steps taken in handling the safeguarding matter and its outcome. As safeguarding matters may involve sensitive information, such documentation must be stored in a confidential and secure place and be handled in accordance with any privacy laws that apply.

It is important to retain records of a Report and in relation to safeguarding matters as perpetrators may seem to move between Football Entities and across jurisdictions to avoid detection or prosecution. Diligent record keeping may assist the Football Entities and Governing Bodies in identifying patterns and perpetrators of Abuse involving a Child, and ensuring such people are unable to participate in football and are reported to the authorities (where applicable). This contributes to football being a safe and supportive place for all Members.

1.13 Support for Members involved in safeguarding matters

Football Australia is committed to ensuring that all Members, in particular Children, feel supported and able to raise issues which relate to safeguarding Children in football.

MPIOs or Child Safety Officers (if applicable) are available to provide support throughout the processes outlined in this Policy.

Importantly, no person is to be treated unfairly or victimised for making a Report. Football Entities may take action in accordance with the National Code of Conduct and Ethics against a person engages in unfair treatment or victimisation of a Reporter or any person involved in or affected by a safeguarding matter.

Football Entities may also assist in directing Children, Reporters or any Member involved with or affected by a safeguarding matter to external experts who provide counselling and mental health services to offer further support, where appropriate.

ANNEXURE D. CATEGORY 1 REPORT FORM

CONFIDENTIAL

This Report is in relation to the most serious types of matters, where there is likely to be the highest risk of or actual damage to the safety and wellbeing of a Child. Please tick what your Report is in relation to:

- ☐ *Child Abuse*
- ☐ *Sexual Offence or Misconduct*
- ☐ *Grooming*
- ☐ *Psychological or emotion harm*
- ☐ *Physical Violence*
- ☐ *Neglect*
- ☐ *Bullying*
- ☐ *Unacceptable Behaviour*

Should the Report not involve one of the above, please complete the Category 2 or 3 Complaints Form

If there is any immediate threat or danger to a Child, please contact the Police Immediately on 000

CONTACT INFORMATION		
State the incident took place:		
Association/District/Zone/Organisation (if relevant)		
Club (if relevant)		
Reporters Name: *(if other than Child)* *You may wish to remain anonymous*		Date:
Reporters Email:		
Is this a Report that impacts you directly or are you making the Report as on observer or on behalf of another party?		
Has this been previously reported to anyone? If so, to who and when?		

CHILD'S OR VICTIMS DETAILS		
Full name:		
Address:		
Date of Birth:		Sex:
Age at time of alleged offence:		
Child's School:		
Parent / Guardian Name:		
Parent / Guardian Address:		
Parent / Guardian Mobile:		

Person's reason for suspecting abuse (e.g. observation, injury, disclosure). *If you are acting anonymously, please ensure you supply as much detail as possible. Failure to supply detailed information may result in an investigation not being able to be undertaken.*

Date of alleged abuse:		
Location/event of alleged abuse:		
DETAILS OF ALLEGED OFFENDER		
Full Name:		
Date of Birth:		Sex:
Age at time of alleged offence:		
Role/status in Football Entity:	☐ Volunteer	☐ Parent
	☐ Player	☐ Spectator
	☐ Coach/Assistant Coach	☐ Support Personnel
	☐ Employee (paid)	☐ Official
	☐ Other:	

WITNESSES (if more than 2 witnesses attach details to this form		
WITNESS 1	Full Name:	
	Mobile:	
	Address:	
WITNESS 2	Full Name:	
	Mobile:	
	Address:	

INTERIM ACTION (IF ANY) TAKEN *To ensure Child's safety and/or support needs of person allegedly accused*		
POLICE CONTACTED	Name of Officer:	
	Police Station:	
	When:	
	Report ID:	
	Advice provided:	
GOVERNMENT AGENCY CONTACTED	Name of Agent:	
	Agency Name:	
	When:	
	Report ID:	
	Advice Provided:	
FOOTBALL ENTITY CONTACTED	Name:	
	When:	
	Via:	
POLICE AND/OR GOVERNMENT AGENCY INVESTIGATION: FINDING		
I agree the above information is true and factual to the best of my acknowledgement	Reporter to sign (if not a Child)	
OFFICE USE ONLY **COMPLETED BY:**	Name:	
	Position:	
	Signature:	
	Date:	

ANNEXURE E. CATEGORY 2 and CATEGORY 3 REPORT FORM

Please tick what your Report is in relation to:

- ☐ *Unacceptable Behaviour*
- ☐ *Bullying*
- ☐ *Harassment*
- ☐ *Other: (please specify)*
- ☐ *Vilification*
- ☐ *Violence*
- ☐ *Discrimination*

If your Report is relation to abuse of a Child, please complete a Category 1 Report form.

If your Report is in relation to lack of game time or team selection, please refer your complaint to your relevant Football Entity.

CONTACT INFORMATION		
State the incident took place:		
Association/District/Zone/Organisation (if relevant)		
Club (if relevant)		
Reporters Name: *(if other than Child)* *Anonymous Reports will not be accepted*		Date:
Reporters Email:		
Reporters Mobile:		
Is this a Report that impacts you directly or are you making the Report as on observer or on behalf of another party?		
Has this been previously reported to anyone? If so, to who and when?		

CHILD'S OR VICTIMS DETAILS		
Full name:		
Address:		
Date of Birth:		Sex:
Age at time of alleged offence:		
Child's School:		
Parent / Guardian Name:		
Parent / Guardian Address:		
Parent / Guardian Mobile:		

Person's reason for your complaint: (please be as detailed as possible)

Date of alleged abuse:		
Location/event of alleged abuse:		
DETAILS OF ALLEGED OFFENDER		
Full Name:		
Date of Birth:		Sex:
Age at time of alleged offence:		
Role/status in Football Entity:	☐ Volunteer	☐ Parent
	☐ Player	☐ Spectator
	☐ Coach/Assistant Coach	☐ Support Personnel
	☐ Employee (paid)	☐ Official
	☐ Other:	

WITNESSES (if more than 2 witnesses attach details to this form		
WITNESS 1	Full Name:	
	Mobile:	
	Address:	
WITNESS 2	Full Name:	
	Mobile:	
	Address:	

INTERIM ACTION (IF ANY) TAKEN *To ensure Child's safety and/or support needs of person allegedly accused*		
FOOTBALL ENTITY CONTACTED	Name:	
	When:	
	Via:	

I agree the above information is true and factual to the best of my acknowledgement	Reporter to sign (if not a Child)	
OFFICE USE ONLY **COMPLETED BY:**	Name:	
	Position:	
	Signature:	
	Date:	

ANNEXURE F. STATE & TERRITORY GOVERNMENT CHILD PROTECTION AGENCIES

F.1 List of State and Territory Government Child Protection Agencies

Contact details for advice or to report an allegation of Child Abuse

Australian Capital Territory Australian Capital Territory Police: Phone: 131 444 Website: police.act.gov.au Child and Youth Protection Services Phone: 1300 566 729 Website: form.act.gov.au/smartforms/landing.htm?formCode=1136	**New South Wales** New South Wales Police Phone: 131 444 Website: police.nsw.gov.au Department of Family and Community Services Phone: 132 111 Website: community.nsw.gov.au
Northern Territory Northern Territory Police Phone: 131 444 Website: pfes.nt.gov.au Department of Children and Families Phone: 1800 700 250 Website: Childrenandfamiles.nt.gov.au	**Queensland** Queensland Police Phone: 131 444 Website: police.qld.gov.au Department of Communities, Child Safety and Disability Services Phone: 1800 811 810 Website: communities.qld.gov.au/Childsafety

South Australia South Australia Police Phone: 131 444 Website: sapolice.sa.gov.au Department for Child Protection Phone: 131 478 (CARL) Website: https://www.Childprotection.sa.gov.au/reporting-Child-abuse	**Tasmania** Tasmania Police Phone: 131 444 Website: police.tas.gov.au Department of Health and Human Services Phone: 1300 737 639 Website: dhhs.tas.gov.au/Children
Western Australia Western Australia Police Phone: 131 444 Website: police.wa.gov.au Department of Child Protection and Family Support Phone: (08) 9222 2555 or 1800 622 258 Website: dcp.wa.gov.au	**Victoria** Victoria Police Phone: 131 444 Website: police.vic.gov.au Department of Human Services Phone: 131 278 Website: dhs.vic.gov.au

ANNEXURE G. FORMS AND INDICATORS OF ABUSE

G.1 Forms and Indicators of Abuse

The indicators of Abuse may be confronting or distressing to individuals. If the follow table causes a Member to feel overwhelmed or upset, it is recommended that the Member discusses this with a support person, this could be a friend, colleague, supervisor or manager. It is recommended that Children review in the following table consultation with their parent, guardian or carer and that appropriate support is provided.

Form of Abuse	Definition	Indicators of Abuse	
Bullying	Bullying is behaviour or conduct that involves the inappropriate use of power by one (1) or more persons in relation to a Child or a group of Children who are less powerful or in a position of vulnerability. Bullying may be a single incident or, as is often the case, an act that is repeated over time. Bullying may make a person feel unsafe or uncomfortable and may manifest in a variety of often interrelated forms, which may include: • verbal (such as name calling; putting that person or people down; or making threats) • physical (hitting or punching, kicking or spitting) • social (exclusion or isolation; ostracising or alienating a person or people)	Loss of interest or reduction in participation in positive activities or activities previously enjoyed Avoiding social situations or activities Unexplained injuries Subdued or changed behaviour in the presence of certain individual(s) Sudden changes in behaviour Difficulty concentrating or completing tasks	Sudden changes in physical abilities or performance Isolation from family, peers, and/or social networks Developing an eating problem Being withdrawn or isolated Difficulty sleeping or sleep disorders Anxiety Depression

	• psychological (spreading rumours; embarrassing someone in public or in front of their peers; hiding or damaging that person's or people's possession; or stalking) • cyberbullying (using technology to target another person or people and may include harassment; threats; embarrassment; humiliation; or the spreading of rumours)		
Emotional Abuse	Emotional Abuse, sometimes referred to as psychological Abuse, is any conduct or behaviour that may cause emotional damage or undermine the wellbeing of a person. It may also occur when a Child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism; denigration; hostility; teasing/bullying; humiliation; placing unrealistic expectations on a Child; taunting; sarcasm; yelling; negative criticism; or name calling.	Developmental delays (such as delays in physical or emotional development or speech disorders) Fear of making mistakes or standing out Withdrawn, agitated and/or anxious Unexplained fears or paranoia Challenges with control of emotions	Changes to social skills and social interactions Acting or dressing inappropriately for age, gender or cultural background Low self-esteem Isolated Poor peer relationships Overly or inappropriately affectionate
Grooming	Grooming is a term used to describe the process of developing a relationship with and the trust of a Child, and sometimes the family or carers of that Child, for the purposes of exploiting, Abusing, or otherwise harming them. The person forming the relationship with the Child may be an adult or another Child.	Receiving unexplained gifts or refusing to discuss such gifts Being secretive about or refusing to discuss activities or social interactions, including	Having inappropriate or disproportionate knowledge of or interest in sexual behaviour or experience for their age or

	There is no set pattern in relation to the Grooming of a Child, with it sometimes occurring over a lengthy period of time before the Abuse commences or a perpetrator may form the relationship and commence the Abuse relatively quickly. Grooming can occur in any setting where a relationship may be formed. The Child may be given special attention and what may start as an apparently normal display of affection or attention, such as cuddling, can develop into Abusive behaviours, for example, sexual touching or other sexual behaviours, including Sexual Offences. All Members must be aware of what Grooming is and to report any concerns of such behaviour via the Safeguarding Report Form contained in Error! Reference source not found. to this Policy.	internet use or the use of mobile phones Spending an unusual or increasing amount of time away from home or isolated/on their own Isolation from peers Becoming withdrawn from friends and community groups	level of development or culture Inappropriately sexualised behaviour, particularly for their age, level of development or culture Sudden new close or intimate friend and/or boyfriend/girlfriend (as applicable) and it may not be clear how they know this person, particularly if the new friend or partner is older
Harm	Harm is any behaviour or conduct that has a significant adverse effect on the physical, psychological or emotional wellbeing or welfare of a Child. Harm may manifest in a variety of ways and can be the product of a single incident or a series of repeated incidents which may involve at least one form of Abuse or Neglect.	Loss of interest or reduction in participation in positive activities or activities previously enjoyed Avoiding social situations or activities Unexplained injuries Subdued or changed behaviour in the presence of certain individual(s) Sudden changes in behaviour	Sudden changes in physical abilities or performance Isolation from family, peers, and/or social networks Developing an eating problem Withdrawn or isolated Difficulty sleeping or sleep disorders Anxiety Depression

		Difficulty concentrating or completing tasks	
Neglect	Neglect is the ongoing failure to meet or denial of the basic necessities of a Child and such failure is, or is likely to, have a detrimental effect on the health, development or level of care of that Child. This may include, but is not limited to, a failure to provide adequate or appropriate food and water, clothing, shelter including exclusion from the home environment, supervision, personal hygiene, or medical support and attention, or a failure to adequately address or respond to a Child's emotional needs.	Poor or inappropriate personal hygiene Appearing to not have showered or washed recently Frequent and persistent fatigue or tiredness Malnutrition Being consistently hungry Parents, guardians or carers (as applicable) appearing to be disengaged, absent or unsupportive	Not having access to or money for food and water Not having access to appropriate clothing for the weather or season Stealing food or money Frequently dropped off early to or collected late from activities or events Challenges concentrating or completing tasks Untreated injuries and medical issues
Physical Abuse	Physical Abuse is any behaviour or conduct that causes or is likely to cause a Child to suffer non-accidental physical trauma or injury and may be intentional or the product of physical or aggressive treatment of a Child. Physical Abuse may include, but is not limited to, pushing or shoving, hitting or punching, slapping, shaking, kicking or other physical harm; giving a Child hazardous or dangerous substances, such as alcohol, drugs or poison; playing or training that is overly excessive or exceeds the Child's development or maturity; or	Unexplained marks, bruises, burns, or injuries Recurrent injuries Unexplained falls or minor injuries, particularly if recurrent Inconsistent or fantastical explanations for injuries	Injuries that are at varying stages in the healing process Inability or refusal to discuss or explain injuries May shudder at loud noises or when voices are raised Inappropriate clothing for weather or activity, particularly

	certain physical punishments that cause or are likely to cause a Child to suffer physical trauma or injury.	Injuries not consistent with the explanation provided	if keeping arms and legs covered in hot weather Delays in physical development
Sexual Abuse	Sexual abuse is any act or conduct of a sexual or erotic nature by an adult or a Child in a position of power or authority and which involves a Child, whether with their consent or not and may involve the exploitation of such a position of power or authority over this Child. This may include, but is not limited to: • non-contact activities or conduct (directing sexual comments towards a Child; engaging in a sexual discussion with a Child in an online forum; indecent exposure; displaying sexual acts or content to a Child, such as images or pornography, or as a witness to a sexual act); or • activities or conduct involving contact with a Child (kissing; touching a Child's genitals or breasts; forcing a Child to touch another person's genitals or breasts; masturbation; oral sex involving a Child; intercourse involving a Child).	Genital or stomach pain, itching or bruising Pregnancy, incontinence or sexually-transmitted infections Sudden changes in behaviour, such as nightmares, bed-wetting Wearing excessive layers of clothing	Having inappropriate or disproportionate knowledge of or interest in sexual behaviour or experience for their age or level of development or culture Inappropriately sexualised behaviour, particularly for their age, level of development or culture