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## Child Safe Policy

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## **1 Introduction**

### **1.1**

As outlined throughout this Child Safe Policy, BSL is committed to ensuring that children and young people who participate in Buller Ski Lifts (BSL) activities have a safe and happy experience.

### **1.2.**

The aim of this Child Safe Policy (the CS Policy) is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are raised in relation to Child Abuse, to ensure that the allegations are properly addressed. This CS Policy is in place in order to ensure a culture of child protection exists throughout all of BSL's operations.

### **1.3.**

Should a person wish to make any enquiries in relation to this CS Policy, please contact:

**Risk & Systems Manager**

David.howard@skibuller.com.au

## **2 Policy Statement**

### **2.1.**

BSL is committed to providing the highest level of protection to all we come in contact with. This includes protecting the health, safety and wellbeing of those who participate in its activities, in particular children and delivering BSL's activities with the best interests of children as a focus.

### **2.2.**

Specifically, BSL considers that the health, safety and well-being of children takes priority over all other competing considerations. BSL considers that this is necessary to ensure the health, safety and welfare of all and protect the image and reputation of the snow sports, Mt Buller and BSL.

### **2.3.**

BSL has a zero tolerance approach to Child Abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from Child Abuse, regardless of their sex, religion, disability or sexual orientation etc.

### **2.4.**

Child protection is a shared responsibility between BSL, and its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers and all members of the Mt Buller community. Everyone that participates in BSL's activities is responsible for the care and protection of children, and reporting information about Child Abuse.

### **2.5.**

BSL supports the active participation of all children in BSL's activities. BSL will listen to their views, respect what they say and involve them when making decisions where appropriate, especially about matters that will directly affect children (including their safety).

### **2.6.**

BSL is also committed to the safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability who participate in BSL's activities.

## **2.7.**

BSL promotes fairness and consideration for all staff, volunteers and participants in snow sports.

## **3 Scope**

### **3.1.**

This CS Policy applies to all BSL stakeholders, participants in our activities including school sports, parents, spectators, contractors, officials, coaches, judges and staff.

### **3.2.**

This CS Policy will continue to bind any person following the cessation of their association or employment with BSL.

## **4 Related Documents & Legislative Requirements**

**4.1.** This Policy must be read in conjunction with:

**4.1.1.** Federal and state-based legislation including applicable laws relating to discrimination, working with children checks and child safety; and

**4.1.2.** Relevant BSL documents including its:

- I. Schools Risk Management Policy;
- II. BSL Working With Children procedure; and
- III. The BSL health and safety management system;

## **5 Definitions**

For the purposes of this CS Policy, the following terms have the meanings they are assigned below:

### **5.1.**

Child means a person involved in the activities of BSL at any level and under the age of 18 years unless otherwise stated under the law applicable to the child.

### **5.2.**

Child Abuse is any physical or emotional ill treatment by someone in a position of responsibility, trust or power that harms or could harm a child's health, survival, development or dignity.

### **5.3.**

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

### **5.4.**

Mandatory reporter means a person who is legally required to make a report to the Department of Human Services or the police if they form a belief on reasonable grounds that a child is in need of protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.

### **5.5.**

Sexual offence means any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the

child to or involving the child in pornography. It includes child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or the child's carer, family or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence.

## **6 Recognising and Reporting Child Abuse**

### **6.1.**

A person may, in the course of participating in snow sport, creche or in some other manner related to BSL's activities, form a belief on reasonable grounds that a child is in need of protection from Child Abuse.

If so, the following procedures should be applied.

### **6.2.**

If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.

### **6.3.**

#### **Mandatory Reporters**

**6.3.1.** Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the appropriate department of the applicable state government authority where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to Child Abuse.

**6.3.2.** This report must be made as soon as practicable, and after each occasion where the individuals becomes aware of any further reasonable grounds for the belief.

### **6.4.**

#### **Reasonable grounds for belief**

**6.4.1.** A reasonable belief is formed if a reasonable person believes that:

- I. The child is in need of protection;
- II. The child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
- III. The child's parents are unable or unwilling to protect the child.

**6.4.2.** To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there is any other related matters known regarding the alleged perpetrator.

**6.4.3.** A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour, speculation or innuendo.

**6.4.4.** You will have reasonable grounds to notify if:

- I. A child states that they have been physically or sexually abused;
- II. A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- III. Someone who knows a child states that the child has been physically or sexually abused;
- IV. Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or
- V. Signs of abuse lead to a belief that the child has been physically or sexually abused.

## **6.5.**

### **Voluntary Reporters**

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of Child Abuse, may disclose that information to the police or the appropriate state-government authority.

## **6.6.**

### **Reporting Child Sexual Abuse**

If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed against a child (under the age of 16 years) by another person (of or over the age of 18 years), legal obligation to disclose that information to the police as soon as it is practicable arises in some states. Individuals who fail to comply with this obligation may be subject to penalties, which may include imprisonment.

## **6.7. BSL's approach to reports of Child Abuse**

**6.7.1.** BSL supports and encourages a person to make a report to the police or government department if they form a belief on reasonable grounds that a child is in need of protection, or they have a concern relating to Child Abuse.

**6.7.2.** Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) under this CS Policy will be supported by BSL and will not be penalised by BSL for making the report.

**6.7.3.** If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to BSL's Human Resources Manager and/or the Risk & Systems Manager for guidance and information. If in doubt, ask for assistance.

**6.7.4.** If an allegation is made against a member of staff or a volunteer, BSL will take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation, working from home, or any other measures deemed appropriate by BSL depending on the gravity of the allegation.

**6.7.5.** BSL will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.

**6.7.6.** BSL will cooperate with the directions of the police and/or any relevant authority in relation to any investigation conducted by these authorities.

**6.7.7.** BSL will keep a register of any allegations regarding inappropriate conduct.

## **7 Roles and Responsibilities of Personnel Protecting Children**

### **7.1.**

The requirement to protect children from Child Abuse applies to all people throughout BSL, including the Board, senior management, staff and volunteers across all levels of BSL. Those people have responsibilities in relation to protection of children and are expected to:

**7.1.1.** Understand the rights of children, as relevant to their role;

**7.1.2.** Respect the cultural and religious practices of families who access BSL's services, programs or events;

**7.1.3.** Understand and appropriately respond to the needs of children with developmental delays or disabilities;

- 7.1.4.** Appropriately act on any concerns raised by children;
- 7.1.5.** Understand the definitions, indicators and impact of Child Abuse;
- 7.1.6.** Know and follow regulations in relation to the care of children;
- 7.1.7.** Co-operate with police and/or other formal investigations to the best of their ability; and
- 7.1.8.** Not harm or exploit children who access BSL's services.

## **8 Chid Safe Guidelines to Prevent and Manage Risks of Child Abuse**

### **8.1. Change Rooms**

Adult officials, regardless of gender, including coaches, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.2. Hotel rooms and other accommodation**

No official, including coaches, should be alone in the room of a child without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of a child, a responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.3. Travel - General**

All adults over 18 years of age retain an overriding responsibility for the welfare of all children they accompany during BSL-related travel activities. They must maintain a 'duty of care' towards the children and they must avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.4. Sexual Relationships**

During all BSL-related travel activities adults must not, under any circumstances engage in conduct of a sexual nature with a child. Improper conduct of a sexual nature by an adult towards a child includes any Child Abuse of a sexual nature as well as but not limited to the following:

- 8.4.1.** Inappropriate conversations of a sexual nature;
- 8.4.2.** Obscene language of a sexual nature;
- 8.4.3.** Suggestive remarks or actions;
- 8.4.4.** Jokes of a sexual nature;
- 8.4.5.** Obscene gestures;
- 8.4.6.** Unwarranted and inappropriate touching;
- 8.4.7.** Sexual exhibitionism;
- 8.4.8.** Use of any device to show/watch offensive material; and
- 8.4.9.** Any other action that could lead to a child being physically, emotionally or psychologically harmed.

### **8.5. Adults under investigation**

Adults under investigation in relation to a matter involving Child Abuse, or any matter which has the potential to render their Working With Children Check Assessment Notice (or equivalent), withdrawn

or a detention order imposed, may be prohibited, by the BSL Board, from participating in BSL's activities.

#### **8.6. Coach and Instructors**

All coaches and instructors must ensure that all physical contact with children which occurs when coaching is appropriate and necessary for the situation. It is strongly recommended that:

**8.6.1.** Coaches and instructors ensure that there are other adults present whenever coaching or teaching a child;

**8.6.2.** Coaches and instructors take care to explain the procedure to the child prior to beginning any physical contact; and

**8.6.3.** Coaches and instructors obtain consent from the child prior to beginning any physical contact.

## **9 Risk Management Approach**

Child safety is an important aspect of BSL's overall risk management approach.

## **10 Policy Breaches**

It is a breach of this CS Policy for any person or organisation to which this CS Policy applies, to have been found to have done anything contrary to this CS Policy. Any person who breaches this policy may be subject to disciplinary processes as proscribed by BSL from time to time.

## **11 CS Policy Promotion**

### **11.1.**

This CS Policy will be made available to all members of the public on the BSL website.

### **11.2.**

This CS Policy will be communicated to the board and staff members of BSL and state associations affiliated with BSL.

## **12 Review Process**

### **12.1.**

This CS Policy will be reviewed by BSL on an annual basis.

### **12.2.**

In addition to the regular review of this CS Policy, recommendations for changes to the CS Policy may be submitted to BSL for consideration at any time. In the event that changes are implemented, the CS Policy will be updated via BSL's website