



NATIONAL PRINCIPLE 1

Child safety and wellbeing is embedded in organisational leadership, governance and culture



November 2023



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GLOSSARY OF TERMS

Child Safeguarding

Child Safeguarding relates to the actions taken by organisations to promote the safety and wellbeing of children and young people in it's care, to protect them from harm.

Children and young people

Those involved in your SSA who are under the age of 18 or fit into a youth category.

National Principles

The National Principles for Child Safe Organisations (National Principles) reflect the ten child safe standards (standards) recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse and were endorsed by all Commonwealth, state and territory governments. The National Principles are the vehicle for giving effect to recommendations relating to the standards. The

National Principles aim to provide a nationally consistent approach to creating organisational cultures that foster safety and wellbeing.

SSA

State Sport Association.

Staff and volunteers

All people undertaking paid or unpaid work within your SSA.

True Sport

True Sport provides a framework for a long-term sustainable approach to safeguarding, support and equip the sports industry from now and into the future. Its all about creating the environment for sport in WA that allows the industry to thrive and prosper for generations to come.

WWC

Refers to the Working with Children (Screening) Act 2004

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KEY ACTION AREA 1.1:

The SSA makes a public commitment to child safety.

OVERVIEW

It is important for your SSA to have a clear and realistic public statement of commitment to child safety that is developed in collaboration between your Board, staff, volunteers and members (see [Template 1.1 for an example](#)).

This will:

- **Demonstrate to existing SSA members** that you are prioritising the safety of children and young people within your sport. This will increase their confidence about the environment provided by your sport to children and young people and empower them to raise suggestions for improvements or concerns about the wellbeing of a child or young person. Demonstrating your SSA's commitment to child safety may also increase member retention.
- **Inform future or potential members and the general public** about the importance your SSA places on child safety. This can be a strong factor in your sport attracting and retaining participants, and increasing membership.
- **Show children and young people** they are a focus and priority. This will increase the chances of children and young people feeling welcomed and valued, and that their voice and feedback will be heard and are important. This, in turn, may increase the chances of a child or young person feeling confident to speak up if they have been or are being harmed, if they wish to raise a concern, or if they simply want to suggest an idea for improvement.

A Statement of your SSA's commitment to child safety and wellbeing that is actively promoted may also contribute to deterring a potential perpetrator from targeting your SSA. It sends a clear message that your SSA has a zero-tolerance approach to any form of harm to children and young people and will take immediate action if harm does occur.

Once your SSA has developed a public commitment of child safety, it is vital to actively communicate this throughout the association (including to all staff and volunteers, members, clubs and the general public). For example, you can promote your public statement of child safety:

- in a prominent position on your website
- through social media platforms
- in newsletters, annual reports and other written materials
- on posters and pull up banners
- in job and volunteer adverts
- in speeches
- in competitions, matches and game day communication.

[View Template 1.1](#)



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 1.1	Develop a clear public statement of the SSA's commitment to child safety.
	Ensure the SSA public statement of commitment to child safety is available and visible for everyone (including all staff and volunteers; members; clubs; and the general public).
	Actively communicate and share the SSA public statement of commitment to child safety: <ul style="list-style-type: none">• on the SSA website and social media pages.• in newsletters and other written materials.• on posters.• during competitions, matches and games.• in recruitment, induction and general information.• to clubs through verbal conversations, through email correspondence and during club training and education.

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KEY ACTION AREA 1.1:

The SSA makes a public commitment to child safety.

OVERVIEW

The text in the box below provides an **example** of an initial statement of commitment that your SSA can refer to in developing its own and commencing the journey of implementing the National Principles for Child Safe Organisations.

SSA statement of commitment to child safety

As your SSA progresses through implementation of the National Principles for Child Safe Organisations, it will be able to expand and update this statement of commitment to include more information about your approach to keeping children and young people safe and core principles to championing a child safe culture in your SSA. It is important that your SSA's statement of commitment is authentic and does not overpromise what is currently being done.

[↓ View factsheet 1.1](#)

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KEY ACTION AREA 1.2:

A child safe culture is championed and modelled at all levels of the SSA, from the top down and the bottom up.

OVERVIEW

Building a child safe culture within your SSA is critical to enable children and young people to feel and be safe.

It is important to recognise that developing a child safe culture takes time, resources and investment – a long-term process.

Leaders within your SSA need to role model child safe attitudes and behaviours, however they can only do this effectively if they are informed about what is expected and required of them (See [Fact Sheet 1.4](#) and [National Principle 7 documents](#)).

Most people within the WA sports industry are involved in roles that have contact with children and young people **because they have good intentions and want to make a difference**.

Leaders need to enable a culture where feedback and questions from adults, children and young people are encouraged, and staff and volunteers are encouraged to seek further advice and guidance about matters from inside the SSA (for example a manager, volunteer coordinator or a Board member) or outside (for example the WA Police or Department of Communities), depending on the situation.

It is essential that SSA staff and volunteers understand they **do not need to be a child safety expert, but they do need to know who to contact and refer matters to** if they are concerned a child is at risk (See [Template 6.4](#)).

Child safety messages need to be genuine, communicated through the whole organisation (for example: on your SSA website; in your newsletters; referenced in speeches at events etc) and shared on a regular basis.

Child safety needs to be a regular agenda item for all SSA meetings, including: management and operational meetings; meetings with clubs; meetings with officials/coaches and high-performance athletes; and meetings with volunteers.

In order to continuously improve your SSA's approach to child safety, it is important to monitor whether policies and procedures are working in practice and identify how they can be improved. It is important to identify what information needs to be collated to inform this review process and from whom (for example: from children and young people; coaches; parents; staff; officials; volunteers; and clubs).



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 1.2	Leaders within the SSA demonstrate and reinforce attitudes and behaviours that value child safety.
	Leaders within the SSA provide opportunities and encouragement for staff and volunteers to ask child safety-related questions and to seek further advice and guidance.
	Child safety messages are included in newsletters and speeches.
	Child safety is a regular agenda item in SSA Board and operational meetings.
	The SSA monitors the use of child safety policies and processes in practice.

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KEY ACTION AREA 1.3:

Governance arrangements facilitate implementation of the SSA child safety and wellbeing policy at all levels.

OVERVIEW

It is essential for your SSA to clearly communicate with everyone involved in it (for example SSA staff, volunteers, children and young people, and families) about their roles and responsibilities for child safety. This will include information they need to be aware of: behavioural expectations; and how to report any allegations or suspicions of a child or young person being harmed.

Although it is the **responsibility of everyone** within your SSA to report any concerns that a child is at risk of harm, **designated people** also need to be identified and trained, who can be contacted by staff and volunteers to discuss any questions, either proactive or reactive (for example what they should be doing to create a safe environment for children and young people and who they can speak with if they are worried a child is at risk of being harmed or is being harmed). It is important these designated people are informed about how to guide others, are approachable, and ideally have experience interacting with people from diverse backgrounds.

SSA child safety and wellbeing policies and procedures need to refer to additional information, support and contacts in relation to child safety (see [Template 6.4](#) and [National Principle 10 resources](#)). It is important to remember that people involved in sport **do not need to be child safety experts** but they need to **take action** if they suspect a child or young person is at risk or a child discloses they have been or are being harmed. This action includes sharing information with relevant agencies, such as WA Police and the Department of Communities ([See reporting flowchart Template 6.4](#)). Therefore, information about how to report needs to be shared with everyone involved in your SSA.

Your SSA needs to have clarity about what it is trying to achieve through the implementation of its [child safety and wellbeing policy](#) and how this will be measured.



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 1.3	The SSA clearly communicates with everyone involved about their roles and responsibilities for child safety.
	There are designated people within the SSA with whom to discuss child safety practices and concerns.
	The SSA child safety and wellbeing policies and procedures refer to additional child safety information, support and contacts.
	The SSA needs to have clarity about what it is trying to achieve and how this will be measured.

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KEY ACTION AREA 1.4:

A Child Safety Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities

OVERVIEW

A Child Safety Code of Conduct is required to provide guidelines for everyone involved in your SSA (including staff and volunteers and children and young people) to understand their expected behavioural standards and responsibilities.

Firstly, it is important for your SSA to develop a [Child Safety Code of Conduct](#) that provides guidelines for your staff and volunteers on expected behavioural standards and responsibilities (see [Template 1.4](#) for an example). Children and young people and their families should have the opportunity to contribute to the development of the Child Safety Code of Conduct. It is important to then communicate and share this Child Safety Code of Conduct with everyone involved in your SSA (including staff, volunteers, children and young people and their families). As part of this, it is important to be clear about who people can speak to if they are concerned someone is breaking the rules.

All staff and volunteers must be required to read and acknowledge the Child Safety Code of Conduct. Your SSA could build this into induction processes and seek other opportunities to promote awareness of the Child Safety Code of Conduct amongst existing staff and volunteers.

[Sport Integrity Australia](#) has developed a '[child safety do's and don'ts](#)' guide that provides practical actions that anyone involved in the delivery of children's sport should follow that can assist your SSA.

It is also useful for your SSA to involve children and young people in the development of a child friendly Code of Conduct (see [Fact Sheet 2.1](#)).

↓ [View template 1.4](#)



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 1.4	<p>The SSA has a Child Safety Code of Conduct that states behavioural standards and responsibilities for staff and volunteers in relation to child safety. Staff and volunteers are required to read and acknowledge this Code of Conduct.</p>
	<p>Children and young people and their families are aware of the Child Safety Code of Conduct and who to speak to if they are concerned someone is breaking the rules.</p>

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KEY ACTION AREA 1.5:

Risk management strategies focus on preventing, identifying and mitigating risks to children and young people.

OVERVIEW

It is important to have risk management strategies that focus on identifying and mitigating risks to children and young people.

Proactive risk management planning means identifying risks and enables your SSA to work to create a safe environment for children and young people and minimise the risk of child safety incidents occurring.

As a starting point, your SSA needs to identify:

- All **situations and behaviours** within your SSA where children and young people may be at risk of harm as part of your existing **culture**
- All SSA **operations** and activities where children and young people are involved and there is a risk of harm
- All child safe **practice** risks.

Once the child safe risks are identified, your SSA can then identify steps that can be taken to minimise these risks. For example, if 'state team training' is identified as an activity where there are possible risks for children and young people; the following example risk mitigation steps may be identified:

- That a coach or other staff or volunteers are never alone with a child. If a coach or other staff or volunteers does need to talk one-on-one with a child or young person, they do this in view of others
- That all coaches or other staff or volunteers are informed about their behavioural expectations around children and young people, and they are given a copy of, and agree to adhere to, the [Child Safety Code of Conduct](#)
- That a recruitment and screening process is followed for all staff and volunteers involved in this activity
- That all children and young people are informed about the steps the SSA has taken to create a safe environment for them, including who they can talk with if they are concerned about anything
- Developing and implementing a clear 'athlete pick-up' policy. This may include: parents and carers needing to inform your SSA about who is allowed to pick up their child or young person; having a process in place for a coach to follow if a child or young person is not collected at the end of training and the parent or carer cannot be contacted
- Coaches and other staff or volunteers need to adopt a **two-deep model of communication** – copying in your SSA and a parent or guardian in all electronic or online communication to children and young people.



Risk management strategies are also important when your SSA needs to manage a child safety incident. Risk management strategies are essential for effective resolution and need to be aligned with your policies and procedures.

It is essential that all child safety and wellbeing risk management strategies are aligned with your overall SSA risk management processes, plan and/or strategy to ensure they are embedded as part of your SSA's core business and are not in place to simply 'tick a box'.

Staff and volunteers need to be informed and trained about your risk management strategies.

It is important to remember that, although the above process can feel overwhelming, **by starting this process you are taking a positive step towards creating a child safe culture in your sport**. Not only is this the right thing to do; it will also enable children and young people to enjoy safer experiences within your sport; it will increase the confidence of current members and future members about your SSA; and may increase membership and participation. Also, you are making a proactive effort to prevent child safeguarding matters from occurring and providing yourself with a framework to follow if an issue does occur.

There are five phases to managing child safety risks in your SSA:

- 1 Phase one – identify risks in SSA culture, operations, and practice
- 2 Phase two – identify child safety risks within each aspect: culture, operations and practice
- 3 Phase three – identify steps to mitigate each identified risk
- 4 Phase four – implement the risk mitigation plan, including informing everyone involved in the SSA about it
- 5 Phase five – continuous improvement and review of this risk mitigation plan.



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 1.5	The SSA undertakes a process to identify risks of harm to children and young people who participate in it's sport.
	Risk management strategies are identified and then written into SSA planning and/or framework documents.
	Risk management strategies are built into the planning of all activities to minimise the risk of harm to children and young people.
	The SSA informs staff and volunteers about it's risk management strategies.

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KEY ACTION AREA 1.6:

Staff and volunteers understand their obligations on information sharing and recordkeeping.

INTRODUCTION

All SSA staff and volunteers need to be aware of their information sharing and recordkeeping obligations. This can sometimes be hard, as there are various legislative and contractual requirements SSAs must adhere to. However, this is an important component of your SSA's child safety processes and helps to protect your SSA if there are clear records.

As a first step, your SSA needs to identify which recordkeeping legislation it needs to comply with (see below for a starting point). Next, your SSA needs to identify what obligations it may have within any contracts (for example facility hire or use) or grant agreements. Once you have identified what you need to do, you can plan how you are going to do it, and then start implementation of your recordkeeping requirements.

HOW LONG SHOULD CHILD SAFEGUARDING RECORDS BE KEPT FOR?

Although there are no statutory requirements which expressly require child safeguarding records (as defined below) to be kept for a prescribed time period, there are various considerations which may inform how long your SSA keeps child safeguarding records. As a general rule, child safeguarding records **should be kept indefinitely** by your SSA to enable it to be recovered at any time for potential investigations and/or legal proceedings. While this is the primary reason for maintaining such records indefinitely (rather than a shorter time-period), such records may also be retained and therefore recovered for other reasons connected with the activities and operations of your SSA (including, for example, disciplinary action) which is an added benefit of retaining records indefinitely.

However, it is also important to be aware, that certain child safeguarding records overlap with various other types of records, some of which have statutory prescribed minimum record periods (for example health, financial/governance and employment records, which should generally be kept for a minimum of 7 years). However, if these records also fall within the category of child safeguarding records, they should be kept indefinitely (which, as an unintended benefit, would achieve compliance with any statutory prescribed minimum anyway).



WHAT ARE CHILD SAFEGUARDING RECORDS?

There are various types of child safeguarding records your SSA may hold including (but not limited to):

- Alleged or actual child abuse or other misconduct relating to a child or young person
- Alleged or actual grooming of a child or young person
- Disciplinary matters involving a child or young person
- Child safety incidents, concerns or complaints and your SSA's response to the same, including investigations
- Qualifications, employment history, Working with Children Cards and suitability assessments including recruitment, screening, supervision and training of workers and volunteers who may or will be working with children and young people
- Establishing the whereabouts of children, young people, staff, volunteers and contractors on particular dates and times
- Reviews/audits of your SSA child safeguarding policies, procedures and practices
- Membership and/or registration of children and young people
- Health information about a child or young person
- Attendance of a child or young person at an SSA event or activity
- Records relating to carers, coaches, managers or other individuals in a position of influence over a child or young person
- Complaints and discipline records relating to workers
- Records outlining programs of services, comments or complaints
- Evaluation records of services, comments or complaints
- Agreements or memoranda of understanding related to the care, protection or supervision of children and young people
- Policies, procedures, reporting mechanisms and training material relating to the provision of services to children and young people
- Insurance policies or historical claims documentation relating to children and young people and insuring against risks arising that involve children and young people (for example, public liability and professional indemnity insurance)



WHAT PRIVACY CONSIDERATIONS ARE THERE?

Your SSA also needs to consider privacy obligations in the context of recordkeeping, in particular under the Privacy Act 1998 (Cth) (Privacy Act), which governs, amongst other things, the collection, storage, use and disclosure of personal information collected or stored by entities that are bound by the Act, and their respective privacy policies.

It is important for all SSAs to take appropriate steps to protect any personal information in its possession, including all personal information in child safeguarding records and have regard to these practices when managing and retaining these records.

An SSA is (presently) legally bound by the Privacy Act and associated Australian Privacy Principles if its annual turnover is, or has been, more than \$3M annually. Earlier in 2023, the Attorney-General's Department received a report recommending that the exemption of smaller entities (ie those below this turnover threshold) be removed or tightened. It is therefore important for your SSA to follow the proposed amendments to the Privacy Act to ensure you are complying with applicable statutory requirements if they are subsequently brought within the legislation in future.

The Australian Privacy Principles under the Privacy Act require the de-identification of personal information in specified circumstances, including where the entity no longer needs personal information for the purpose it was collected, or any purpose for which it may be used or disclosed, in which case, the entity must take reasonable steps to destroy or de-identify the information. This requirement does not apply where the entity is required by law or a court order to retain the personal information.

SSAs that are bound by the Privacy Act must take reasonable steps to protect the personal information they hold from misuse, loss, unauthorised access, modification or disclosure.

There are many reasons why an SSA would need to review historical child safeguarding information of this nature, including for potential legal proceedings, investigations or prosecutions. In contrast, more generic child safeguarding records that do not relate to specific incidents, allegations or concerns, such as member or participation records, are unlikely to qualify for ongoing retention. Under the Privacy Act, it is likely this information will need to be de-identified once it is no longer needed for any purpose for which it was collected (ie the child's membership of the SSA).

For further information, refer to the [Office of the Australian Information Commissioner website](#).



STORING RECORDS

There is no statutory requirement to maintain child safeguarding records in a particular format or location. Accordingly, such records may be kept either in hard copy or electronically. However, best practice dictates that where records can be kept electronically, provided they can be kept safely (see below for more information), SSAs should retain records in electronic format.

Electronic records should:

- Ensure there is a reliable means of ensuring integrity of information contained in the document
- Be readily accessible and useable for subsequent reference
- If a particular kind of storage device is required by regulations, meet that requirement
- If the records are confidential and sensitive, be secure and include privileges to access the record and make changes or dispose of the information
- Be adaptable to changes in technology
- Be convertible to hard copy.

If non-electronic records are used, they should:

- If confidential and/or sensitive be stored in a locked filing cabinet and should never be left unattended on a desk or other insecure location
- Be maintained in an indexed, logical and secure manner
- Be cross-referenced (as applicable) to ensure that people using those records are aware of all relevant information.

INFORMING MEMBERS ABOUT RECORDKEEPING PRACTICES

Once your SSA is clear about what child safety records it needs to keep and for how long, it is important that children and young people and their families are informed about this.

It is also important to be aware that children and young people have a right to access their records and to provide comments or changes. Therefore, it is important for your SSA to have a process to enable this to happen if a request is made. The Privacy Act safeguards individuals' personal information regardless of their age and does not prescribe a minimum age from which an individual can make their own privacy decisions. However, for a person's consent to be valid, they must have capacity to consent. In other words, if a child or young person requests

access to their personal information, including information in records which may be distressing, your SSA should consider whether the child has capacity to consent before releasing any such information or record. This must be determined by your SSA on a case-by-case basis.

The Office of the Australian Information Commissioner (OAIC) states that, as a general rule, an individual under the age of 18 has the capacity to consent if they have the maturity to understand what is being proposed (for example, accessing potentially traumatic or distressing materials). If it is determined that they lack maturity, it may be appropriate for a parent or guardian to consent on their behalf. If your SSA is unsure, you can seek professional or legal advice and/or visit the website of the [Office of the Australian Information Commissioner](#).



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 1.6	<p>The SSA ensures their child safety recordkeeping processes meet legislated or contractual obligations.</p>
	<p>The SSA informs children and young people and their families about what records are kept about them, for how long, and how they can access them.</p>
	<p>Children and young people are supported to read certain records and to comment on them or seek changes to them.</p>
	<p>The SSA provides training and support for staff and volunteers to understand and comply with information sharing and recordkeeping processes.</p>

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