

# **SWIMMING AUSTRALIA**

## **Safe Sport Framework**

**29 July 2016**

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**Part 2 – Child Protection Commitment Statement**

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## 2. Part 2 - Child Protection Commitment Statement Summary

An integral part of Swimming Australia's Safe Sport Commitment is the Swimming Australia Child Protection Commitment Statement. It consists of a set of principles and procedural benchmarks in relation to the protection of Children or Young People that Swimming Australia and its Clubs have in place for everyone involved in our Sport.

### 2.1 What is our commitment to protecting Children or Young People?

Swimming Australia and its Clubs endorse and support the principles of the United Nations Convention on the Rights of the Child 1989 (ratified in Australia in 1990). The Convention recognises that Children or Young People under the age of 18 years need special care and protection.

In recognition of our support for the Convention on the Rights of the Child, Swimming Australia and its Clubs make the following commitments:

#### (a) Our commitment to and Children or Young People

- We are committed to the safety and wellbeing of all Children or Young People who access any of our activities, programs, events or services.
- We are committed to providing Children or Young People with positive and nurturing experiences.
- We will support families and communities to promote Children or Young People's healthy development and wellbeing.
- We will strive to ensure that Children or Young People are protected.
- We will strive to ensure that Children or Young People are not exploited, Abused or Harmed during their involvement with any of our activities, programs, events or services.
- We will listen to Children or Young People and address any concerns that they raise with us.
- We will ask for consent from Children, Young People and their parents/carers before we seek out or provide information about them to any other individuals or organisation. However, we may not ask for consent to disclose information to Police, regulatory authorities or relevant statutory child protection agencies in the event that we have concerns about the safety and wellbeing of a specific Child or Young Person.

**(b) Our commitment to parents and carers**

- We are committed to supporting parents and carers to protect their Children or Young People.
- We will offer assistance that builds on a family's strengths, is sensitive to their cultural and religious beliefs and empowers them to meet the changing needs of their Children or Young People.
- We are committed to communicating honestly and openly with parents and carers about the wellbeing and safety of their Children or Young People.
- We will promote and distribute information about this Child Protection Commitment Statement to Children, Young People and parents/carers as part of an introduction to our services and programs. The information will be made available in a developmentally appropriate language and translated to accommodate the main communities that access our services.
- We aim to be transparent in our decision-making with parents and carers as long as doing so does not compromise the safety of Children or Young People or breach any confidentiality obligations.

**(c) Our commitment to ensuring a child safe organisation**

- We are committed to using best practice standards in the recruitment, screening and employment of any Persons in Positions of Authority.
- We will work to create an environment in which Children or Young People are safe and feel safe in any of our program, activities, or events.
- We will strive to ensure that Persons in Positions of Authority do not Harm, Abuse or exploit Children or Young People who are involved with our programs or services.

## 2.2 How does this Child Protection Commitment Statement apply to Persons in Positions of Authority?

It is a requirement of Swimming Australia and its Clubs that Persons in Positions of Authority:

- (a) adhere to the Child Protection Commitment Statement; and
- (b) follow and adhere to the Complaints Procedure with respect to any breaches of this Safe Sport Commitment.

In addition, Swimming Australia and its Clubs will endeavour to become and remain compliant at all times with the Seven Standards of the Safeguarding Children Accreditation Program of the Australian Childhood Foundation. The Standards as set out below, when implemented in their totality, support Swimming Australia and its Clubs to develop and maintain an effective child safe culture across all of their activities, programs and services.

Standard One	Commitment to Safeguarding Children or Young People
Standard Two	Personnel roles and conduct
Standard Three	Recruitment and screening
Standard Four	Personnel induction and training
Standard Five	Involving Children or Young People and parents
Standard Six	Child Abuse reports and allegations
Standard Seven	Supporting a child-safe culture

## 2.3 What are the requirements of and commitment to Persons in Positions of Authority in relation to protecting Children or Young People?

### (a) Swimming Australia and its Clubs' Commitment to Persons in Positions of Authority

Swimming Australia and its Clubs commit to the follow regarding Persons in Positions of Authority:

- Providing the necessary support to enable them to fulfil their roles.
- Putting in place a management structure that supports and develops them, as applicable, in their roles.
- Providing appropriate guidance and development.
- Ensuring that there is access to a Senior Person to make decisions in relation to any action required to protect Children or Young People from Child Abuse.

- Working to ensure that there are safeguards in place to protect Children or Young People.

(b) **Swimming Australia's Requirements of Persons in Positions of Authority**

In summary, we expect Persons in Positions of Authority to:

**(i) Understand the rights of Children or Young People, as appropriate to their role.**

A working knowledge of Children or Young People's rights should inform decisions about how to behave with and act on behalf of Children or Young People. It enables us to identify when Children or Young Persons' needs and entitlements are compromised and when they require support.

**(ii) Understand and acknowledge the foundational significance of family relationships for the development of Children or Young People.**

This includes recognising, respecting and, where appropriate, working to strengthen the capacities of parents/carers and other family members to support, care and protect their Children or Young People.

**(iii) Respect the cultural and religious practices of families who access our services, programs or events.**

Whilst we recognise the importance of culture and religion in the lives of Children, Young People and families, the right of Children or Young People to protection from Harm takes precedence over any cultural or religious belief.

**(iv) Understand and appropriately respond to the special needs of Children or Young People with developmental delays or disabilities.**

This includes:

- acting in ways that communicate effectively with and are supportive of Children or Young People with developmental delays or disabilities; and
- being proactive in recognising the additional vulnerability to exploitation and Harm that Children or Young People with developmental delays or disabilities experience.

(v) **Be respectful of Children or Young People by:**

- facilitating opportunities for Children or Young People to tell us their views and feedback;
- treating Children or Young People as individuals and respecting their unique abilities and vulnerabilities; and
- expressing attitudes and engaging in behaviour that respect and support Children or Young People.

(vi) **Appropriately act on any concerns raised by Children, Young People and/or their parents/carers.**

We will take seriously and appropriately investigate complaints or allegations made against any Persons in Positions of Authority. Any alleged crimes against Children, Young People or other family members will be reported to the Police in accordance with the policies and procedures of the relevant Member Associations or Clubs. We expect Persons in Positions of Authority to follow our Complaints Procedure without hesitation in response to concerns raised by Children, Young People and/or their parents.

(vii) **Understand the definitions, indicators and impact of Child Abuse, including Grooming.**

Experiences of Child Abuse and Grooming are significant sources of trauma for Children or Young People and intensify the risk of them developing a range of emotional, psychological, social and behavioural problems. Through the Safe Sport training provided by Swimming Australia, we expect Persons in Positions of Authority to be able to define Child Abuse, be aware of its indicators and understand its consequences.

Persons in Positions of Authority must – wherever possible and practicable:

- intervene to identify and prevent Child Abuse from occurring by following the Steps within section **Error! Reference source not found.** of Part 4 of this safe Sport Framework; and
- take action to protect Children or Young People from further Child Abuse by following the Steps within section **Error! Reference source not found.** of Part 4 of this Safe Sport Framework.

**(viii) Know and follow regulations in relation to the care of Children or Young People.**

Rules and regulations governing how we safeguard Children or Young People engaged in our services, events, programs and activities may vary across Australian jurisdictions. Persons in Positions of Authority must understand and follow laws and regulations in place in the jurisdiction in which they operate. It is the responsibility of the appropriate managers of our services, programs, events and activities to take all reasonable steps to ensure that the regulations are adhered to by all Persons in Positions of Authority under their supervision in the relevant jurisdiction(s).

**(ix) Know and follow the relevant law(s) in relation to reporting Child Abuse and Grooming.**

In doing so, we expect Persons in Positions of Authority to consult with a Senior Person to ensure that appropriate action is taken to respond to concerns about the wellbeing or safety of a Child or Young Person.

**(x) Co-operate with Police and/or other formal investigations to the best of their ability to safeguard Children or Young People.**

Where Persons in Positions of Authority are contacted by the Police or any external agency including government child welfare departments, they must use best endeavours to cooperate as requested. Any unreasonable failure to reasonably cooperate with the external agency will constitute a breach of this Safe Sports Framework. Co-operating with an external agency may involve, but is not limited to, the following:

- speaking to a representative of the external agency and answering any questions they may have;
- providing a statement regarding any particular conduct or facts the Person in a Position of Authority witnessed or experienced; and
- where practicable, giving evidence at any external hearing.

**(xi) Always follow the Codes of Conduct in this Safe Sport Framework.**

Where possible, Persons in Positions of Authority will be asked to personally endorse the General Code of Conduct and the Code of Conduct in dealing with Children or Young People to formalise their acknowledgment of and adherence to their content.



**(xii) Not Harm or exploit Children or Young People who access our services, activities, programs, or events, nor contravene any laws or regulations regarding the safety and wellbeing of Children or Young People.**

It is a serious breach of this Safe Sport Framework and possibly the law, if any Persons in Positions of Authority Harm or exploit Children or Young People who are involved in any of our activities, services, events or programs. Breaches of this include, but are not limited to, any Persons in Positions of Authority who:

- (A) sexually assault Children or Young People;
- (B) physically assault Children or Young People;
- (C) verbally abuse, denigrate or bully Children or Young People;
- (D) sexually harass Children or Young People;
- (E) engage in Grooming behaviour of Children or Young People;
- (F) take inappropriate photos of Children or Young People, or reproduce and/or distribute photos of Children or Young People for an inappropriate purpose or distribute photos without their consent or the consent of their guardians;
- (G) publish any material containing images of Children or Young People without the consent of the parent/guardian of the Children or Young people included in the images; and/or
- (H) access, download, store or distribute any form of child pornography.

**(xiii) Support Children, Young People and their families as directed by Senior Persons in the event that a Child or Young Person is or is suspected of being Abused, Bullied or Exploited.**

We recognise that the impact of Child Abuse on Children or Young People is traumatic. We will provide opportunities for formal debriefing and/or counselling to the Children, Young People and their families who have experienced Child Abuse and any other Child, Young Person and family in the community who may indirectly be affected by the incident(s).

The listed expectations are requirements of this Child Protection Commitment Statement and must be included in the policies, Codes of Conduct and operational procedures developed and implemented by Swimming Australia and its Clubs.

## 2.4 What support will Swimming Australia and its Clubs provide Persons in Positions of Authority?

We will strive to ensure that relevant Persons in Positions of Authority:

- (a) **receive training to keep Children or Young People safe from Child Abuse.**

Swimming Australia and Clubs will aim to provide training opportunities regularly and as appropriate to the various roles of Persons in Positions of Authority.

- (b) **are clear about what is expected of them regarding the welfare and safety of Children or Young People**

Through clarifying applicable procedures at regular opportunities and, where possible, encouraging standing agenda items at regular forums to discuss best practice procedures.

- (c) **are aware of the appropriate recruitment, screening and employment practice in relation to individuals with specific roles in working, coaching or volunteering with Children or Young People and families.**

As applicable, Persons in Positions of Authority will be informed during their recruitment that their employment, coaching or volunteering will be subject to clearance under the Working with Children Check system and a National Criminal Records Check. It is a serious breach of this Policy if an individual who has convictions that would make him/her ineligible to be granted a Working with Children Check (or equivalent) clearance gains employment or is allowed to volunteer with Children or Young People who access our services, programs, events or activities. It is also a serious breach if an individual continues in his/her employment, coaching or volunteer role with us if he/she has been charged or convicted of a crime that would make him/her ineligible to be granted a Working with Children Check (or equivalent) clearance.

- (d) **receive guidance and supervision in relation to their role with Children, Young People and families.**

To assist with some of the complexity and challenges of working with Children, Young People and their families, we will provide regular guidance for all relevant Persons in Positions of Authority in relation to their specific roles with Children, Young People and families. For example, the circulation and notification of changes to legislation involving the safety and welfare of Children or Young People.

- (e) **make joint decisions with Senior Persons about initiating action to protect Children or Young People from Child Abuse.**

We acknowledge Child Abuse is a serious allegation and of the importance of addressing allegations as soon as possible. In accordance with Step 2 of

section **Error! Reference source not found.** of Part 4, Persons in a Position of Authority must report any complaint lodged with them to a Senior Person as soon as possible. The Senior Person will work with the Person in a Position of Authority to address the complaint and ensure appropriate action is taken in response. The Person in a Position of Authority should therefore not feel they must deal with the complaint themselves, as we will provide as much support as required.

- (f) **receive appropriate and timely debriefing and/or counselling opportunities in the event that it is required following stressful or challenging situations involving Children, Young People and/or their families.**

We will provide debriefing and counselling opportunities at our own cost for Persons in Positions of Authority who have dealt with, or are dealing with, challenging situations involving Children and Young People, or their families. Any Person in a Position of Authority should contact a Senior Person that they trust and feel comfortable speaking to as soon as they consider they require assistance.

## 2.5 Who is responsible for implementing the Child Protection Commitment Statement?

The Swimming Australia Safe Sport Committee is responsible for the development and endorsement of the Swimming Australia Child Protection Commitment Statement. It delegates the implementation of the commitment to the Swimming Australia Limited Executive Team, Member Associations and Clubs. The role of each entity in relation to the development and compliance of the Swimming Australia Child Protection Commitment Statement is detailed in the table below.

Entity	Role/Responsibility
Swimming Australia Limited	<ul style="list-style-type: none"> <li>Promote the commitment to this Statement and its expectations.</li> <li>Support policy review on an annual cycle as a minimum or at a time governed by legislation, regulations, Australian Sports Commission directions or organisational learnings that promote a change to the Statement and all relevant policy or procedural guidelines.</li> <li>Strive to ensure compliance to the Statement via an inbuilt review mechanism.</li> <li>Strive to ensure that adequate resources are allocated to allow for the periodic review of a Swimming Australia Safe Sport Commitment and all relevant policy and procedure creation and review, inclusive of effective implementation.</li> <li>Develop opportunities for regular discussion at all levels to support a culture of openness and continued improvement and accountability to child protection and Member welfare.</li> <li>Advocate and promote Child or Young Persons' rights, empowering and engaging Children or Young People in support of this Statement and its expectations.</li> </ul>

Entity	Role/Responsibility
<p><b>Member Associations</b></p>	<ul style="list-style-type: none"> <li>• Strive to ensure that all Persons in Positions of Authority understand their obligations in accordance with the Child Protection Commitment Statement and any relevant policy and procedural documentation.</li> <li>• Strive to ensure that the Child Protection Commitment Statement is implemented and adhered to amongst Clubs and their Members, staff, officials, volunteers and Participants.</li> <li>• Strive to ensure that the development and implementation of required internal policy/work procedures and guidelines are in place to support child protection practice in accordance with the expectations of the Child Protection Commitment Statement.</li> <li>• Strive to ensure that adequate resources are allocated to allow effective implementation of the Child Protection Commitment Statement.</li> <li>• Advocate and promote Child or Young Person rights, empowering and engaging Children or Young People in support of this Statement.</li> <li>• Proactively share resources and experience in the development of child safe initiatives in swimming as they are identified.</li> <li>• Develop opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of Child or Young Person protection and Member welfare. For example, in team meetings or regular forums, include Safe Sport as a regular agenda item.</li> </ul>
<p><b>Clubs</b></p>	<ul style="list-style-type: none"> <li>• Strive to ensure that all Persons in Positions of Authority understand their obligations in accordance with the Child Protection Commitment Statement and any relevant policy and procedural documentation.</li> <li>• Strive to ensure that the Child Protection Commitment Statement is implemented and adhered to amongst its Members, staff, officials, volunteers and Participants.</li> <li>• Strive to ensure that the development and implementation of required internal policy/work procedures and guidelines are in place to support Child or Young Person protection practice in accordance with the expectations of the Child Protection Commitment Statement.</li> <li>• Strive to ensure that adequate resources are allocated to allow effective implementation of the Child Protection Commitment Statement.</li> <li>• Advocate and promote Child or Young Person rights, empowering and engaging Children or Young People in support of this Statement.</li> <li>• Proactively share resources and experience in the development of child-safe initiatives in swimming as they are identified.</li> <li>• Develop opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of Child or Young Person protection and Member welfare. For example, in</li> </ul>

Entity	Role/Responsibility
	team meetings or regular forums – include as a regular agenda item.

## 2.6 Recruitment and Screening Procedures for Roles with direct contact with or permitting access to Children or Young People

### (a) Introduction

Best practice recruitment and screening for all persons involved in swimming who have direct contact with or access to Children or Young People, requires implementation of the practices outlined in sections 2.6(d) - 2.6(k) below.

### (b) Application of procedures in section 2.6

Swimming Australia and its Clubs must apply the practices and procedures in this section 2.6 in relation to all prospective **EMPLOYEES**.

Unless otherwise stated, Swimming Australia and its Clubs must, where feasible and to the greatest extent practicable, apply the practices and procedures in this section 2.6 in relation to all **VOLUNTEERS** and **SHORT-TERM APPOINTEES** in swimming.

In section 2.6:

- the term "volunteer" includes any individuals volunteering their time free of charge, or receiving reimbursement expenses only; and
- the term "employee" includes any individuals, whether full time, part time or casual, being employed by Swimming Australia or its Clubs and being remunerated for their time and/or services.

Where a Member Association or Club is determining whether it is practicable to apply the practices and procedures in this section 2.6, the following will be taken into account:

- the size of the organisation seeking volunteers;
- the number of prospective applications; and
- the nature of the volunteer positions for which volunteers are being sought.

**(c) Purpose**

The recruitment and screening procedures have been developed to ensure that Swimming Australia and all Clubs recruit people who are suitably qualified and committed to providing professional, safe and enjoyable activities and services to Children or Young People. There are specific recruitment and screening procedures that must be consistently and comprehensively followed by Swimming Australia and all Clubs when recruiting roles that have direct contact with or permit access to Children or Young People in swimming.

**(d) Advertising**

All Swimming Australia and Club advertised positions and internal position descriptions for positions that require direct contact with or permit access to Children or Young People should contain the following statement:

**“We require all applicants to undergo an extensive screening and background check process prior to appointment.”**

**(e) Child Protection Commitment Statement**

The Child Protection Commitment Statement must be supplied to all applicants for advertised positions at the same time as the position description and application documentation, and at least prior to an interview. Swimming Australia suggests that all positions advertised online contain a link to our Child Protection Commitment Statement or attach a PDF version of it.

**(f) Face-to-face or video interview**

All applicants that require direct contact with, or that permit access to Children or Young People, are required to attend or participate in at least one face-to-face or video interview.

As part of the face-to-face or video interview, we highlight our commitment to protecting Children or Young People from Abuse. We also explain our screening requirements and their purpose.

During face-to-face or video interviews, the Swimming Australia or Club Persons in Positions of Authority conducting the relevant interview must examine the following issues relating to the applicant's suitability to work with Children or Young People:

- the applicant's general awareness and understanding of Child or Young Person protection issues and the importance of ensuring the safety and wellbeing of Children or Young People in particular;
- the applicant's beliefs and values in relation to the treatment of Children or Young People;

- the applicant's professional experience, qualifications and competence;
- the applicant's reasons for leaving previous positions involving work with Children or Young People; and
- any potential concerns regarding the applicant's resume or work history, such as gaps in their work history, frequent job changes, and inability to nominate precise start or end dates for previous roles.

In undertaking an interview with any applicant for any role requiring direct contact with or access to Children or Young People, hiring Persons in Positions of Authority must reference and choose appropriate 'Interview questions' as linked on the Safe Sport Resources section on Swimming Australia Limited's website. We document an applicant's responses and, if they are the successful applicant, we will add that documentation to their personnel file.

**(g) Proof of Identity and Qualifications Check**

The identity and qualifications of each shortlisted applicant for any position requiring direct contact with or access to Children or Young People must be confirmed by sighting 'proof of identity' and 'proof of qualifications' documents presented by the applicant that are relevant to their role and their suitability to work with Children or Young People. On completion of the recruitment process, we will add copies of the successful applicant's 'proof of identity' and 'proof of qualifications' documents to their employment file.

If a variation to these requirements is required in relation to proof of identity or proof of qualifications requirements, such as an applicant being unable to provide specific documentation, we advise an appropriate Senior Person and seek approval for a variation. The Senior Person may withhold approval for any variation requested at their absolute discretion.

**(h) Background and Screening Checks**

Unless the law provides otherwise, all Swimming Australia Limited, Member Association and Club boards (however named) and employees must have a satisfactory Working with Children Check in the appropriate jurisdiction in which they spend the majority of their working time.

In addition, at the discretion of the engaging organisation, applicants may also be required to satisfy a number of background checks, at the commencement of, and in some cases during the time in which they hold their position. These include (but are not limited to) the following:

- a National Criminal History Record Check;
- a Signed Declaration;

- a reference check; and/or
- any other relevant background checks to assess a person's suitability to work with Children or Young People.

Whenever possible, no applicant is to be offered a position with Swimming Australia or a Club until after completion of the relevant background and screening checks. When this is not possible, appointment of that person must be contingent upon Swimming Australia or a Club receiving a satisfactory background and screening check. At a minimum and subject to specific State or Territory requirements set out in the websites at the “Working with Children Checks” section below, the potential employee must have completed the application documentation for the relevant Working with Children Check and/or background check and the employing organisation must sign that documentation prior to the commencement date of that person’s position.

If the applicant has already commenced holding a position with Swimming Australia or a Club and the results of any background or screening checks are unsatisfactory, subject to the individual employment contract, Swimming Australia or the Club may terminate the individual’s position without notice. Swimming Australia and Clubs only recruit staff and volunteers with appropriate qualifications and experience and if at any stage (including before or after engagement) it is discovered that any aspect of the applicant’s curriculum vitae or the references or background checks that are provided in support of the application are dishonest or misleading, Swimming Australia and its Clubs will be entitled to terminate the engagement immediately without notice.



### ***Working with Children Checks***

Swimming Australia and Clubs operate in and sometimes across all Australian jurisdictions. Each Australian jurisdiction has its own legislated screening schemes for undertaking checks to assess a person's suitability to work or interact with Children or Young People. Examples of this include 'Working with Children' or 'Blue Card' checks.

Accordingly, our recruitment procedures require that such checks be obtained for all applicants (including all applicants who are Children or Young People) who are to be offered or have accepted a position with Swimming Australia or its Clubs that involves direct contact with or permits access to Children or Young People. Swimming Australia or the relevant Club will direct the applicant to the relevant check that is required and in doing so will make clear which jurisdiction(s) the relevant check(s) is or are to be obtained in.

The Person in a Position of Authority that is responsible for recruiting must either verify with the appropriate WCCC or Blue Card Authority or, if the information cannot be verified through the appropriate authority, sight a copy of the applicable 'Working with Children' or Blue Card check documentation and record relevant details using our 'Working with Children Check Record'.

Swimming Australia and its Clubs must not employ a person who returns a negative check based on 'Working with Children' or Blue Card check legislation in our jurisdictions. For the avoidance of doubt, volunteers who return negative checks must not be engaged by Swimming Australia or its Clubs also.

Further information regarding the operation of Working with Children Checks can be obtained from:

#### **New South Wales**

Office of the Children's Guardian

Telephone: 02 8219 3600

Web: [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)

#### **Queensland**

Blue Card Services

Telephone: 07 3211 6999

Web: [www.bluecard.qld.gov.au](http://www.bluecard.qld.gov.au)

#### **Victoria**

Working with Children Check Unit, Department of Justice & Regulation

Telephone: 1300 652 879

Web: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

**Western Australia**

Working with Children Screening Unit

Telephone: 08 6217 8100

Web: [workingwithchildren.wa.gov.au](http://workingwithchildren.wa.gov.au)

**Northern Territory**

Northing Territory Screen Authority

Telephone: 1800 SAFE NT (1800 723 368)

Web: [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au)

**South Australia**

Department for Communities and Social Inclusion

Telephone: 1300 321 592

Web: [screening.dcsi.sa.gov.au](http://screening.dcsi.sa.gov.au)

**Australian Capital Territory**

Background Screening Unit, Access Canberra

Telephone: 02 6207 3000

Web:

[https://www.accesscanberra.act.gov.au/app/answers/detail/a\\_id/1804/~/working-with-vulnerable-people-\(wwvp\)-registration#](https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/~/working-with-vulnerable-people-(wwvp)-registration#)

**Tasmania**

Department of Justice

Telephone: 1300 13 55 13

Web: [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)

### ***National criminal history record checks***

Swimming Australia or a Club may at any time require a National Criminal History Check. This might be required, for example, where a person may be exempt from a Working with Children Check requirement, but it can also be an additional requirement imposed by Swimming Australia or a Club. If such record check is required, we obtain application forms from Police in the relevant State or Territory, or download forms from their website, as detailed below:

#### **Australian Capital Territory**

Australian Federal Police

Phone: 02 6140 6502

Web: [www.afp.gov.au/business/criminal\\_police\\_checks.html](http://www.afp.gov.au/business/criminal_police_checks.html)

#### **New South Wales**

New South Wales Police

Phone: 02 8835 7888

Web: [www.police.nsw.gov.au](http://www.police.nsw.gov.au)

#### **Northern Territory**

Northern Territory Police

Phone: 08 8922 5511

Web: [www.pfes.nt.gov.au](http://www.pfes.nt.gov.au)

#### **Queensland**

Queensland Police Service

Phone: 07 3364 6562

Web: [www.police.qld.gov.au](http://www.police.qld.gov.au)

#### **South Australia**

South Australia Police

Phone: 08 7322 3347

Web: <https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check>

#### **Tasmania**

Tasmania Police

Phone: 03 6173 2928

Web: <http://www.police.tas.gov.au/services-online/police-history-record-checks/>

#### **Victoria**

Victoria Police

Phone: 1300 881 596

Web: [www.police.vic.gov.au/content.asp?Document\\_ID=274](http://www.police.vic.gov.au/content.asp?Document_ID=274)

**Western Australia**

Western Australia Police

Phone: 08 9351 0699

Web: <https://www.police.wa.gov.au/Police-Direct/National-Police-Certificates>

No copy of the Police Check must be retained, and the original must be destroyed – in a secure manner – on completion of the selection process. However, we record the date and certificate number of the Police Check in the applicant's personnel file on a 'National Criminal History Record Check' form.

When this is not possible, we appoint the person contingent upon them receiving a satisfactory check. The person is to be subject to additional supervision until the check procedures are completed.

**(i) Record Keeping and Sharing of Information – Working with Children and/or National Criminal History Checks**

Swimming Australia and all Clubs must comply with relevant laws in relation to record keeping. Best practice record keeping requires Swimming Australia and Clubs to maintain:

- Records of all employees and volunteers, including proof of identify and proof of qualification documents and/or records.
- A register of Working with Children Check and/or National Criminal History Checks for all employees and volunteers for whom checks have been obtained. This register must detail application and approval or rejection details (including Working with Children Check or equivalent identifiers), expiry dates and any other identifying and useful information.

Please see the "**WWCC and Background Check Register Template**" in the Safe Sport Resources section on the Swimming Australia Limited website.

Swimming Australia Limited, Member Associations and Clubs will work together in the best interests of their Members, Participants and Persons in Positions of Authority. As such, when requested by Swimming Australia Limited, Member Associations and Clubs must to the extent permitted by law share information from relevant employment records and/or their register of Working with Children Check and/or National Criminal History Checks in order to resolve any recruitment or screening issues and/or in the interests of resolving any complaints relating to Children or Young People. Subject to relevant laws, Clubs must also share employment records and/or proof of identity or qualifications information when requested by Member Associations for those same purposes.

For the avoidance of any doubt, all applicants provide their consent to Swimming Australia, Member Associations and Clubs disclosing their personal information as set out above.

**(j) Undertaking reference checks**

Swimming Australia and its Clubs must conduct a minimum of two reference checks for all shortlisted applicants for any employment or volunteer roles. This is to gather additional information about the applicant's suitability to work in the role for which they have applied and to ensure the applicant holds the professional qualification, experience or registration they claim to hold in relation to their suitability to work with Children or Young People.

Applicants being considered for appointment should, in the first instance, be asked to provide contact details for two professional referees who can provide information relating to the applicant's suitability to the role, including relating to the applicant's suitability to work with Children or Young People. Professional referees:

- should include a representative of the applicant's current or most recent employer; and
- must, where practicable, have had a direct managerial relationship with the applicant and so be capable of commenting with direct knowledge in relation to the applicant, and ideally have been the applicant's supervisor or line manager.

Personal referees are not recommended. However, if there is no option but to include a personal referee (for example – applicants are applying for their first job), then that referee:

- should not be related to the applicant;
- should have known the applicant for at least 12 months; and
- must be able to vouch for the applicant's reputation, good standing and character.

The referee checks we undertake must involve direct contact with the referee, whether in-person, by phone, via video link or email. Written character references are not sufficient unless also followed up and verified through direct contact.

Difficulty in contacting referees, such as those based overseas, or those who have left an organisation, is not justification for accepting lower standards of scrutiny.

We use a 'Referee Discussion' form to record details of our discussions with referees in relation to the suitability of an applicant to work with Children or Young People. We use 'Referee Questions' to guide our discussion with a referee.

A completed 'Reference Check' form is to be filed in a successful applicant's personnel file prior to the applicant starting their engagement with Swimming

Australia or a Club. Please see the “**Reference Check Template**” located in the Safe Sport Resources section on the Swimming Australia Limited website.

**(k) Guidance for volunteers, short-term appointees and Children or Young People in Positions of Authority**

Sensitivity is required in relation to asking parents/carers of the Children or Young People to whom we deliver activities, events, programs and services to undergo ‘Working with Children’ or ‘National Criminal History Record’ checks before they are accepted as volunteers.

Swimming Australia and Club Persons in Positions of Authority must emphasise to these parents/carers the importance we place on protecting the Children or Young People to whom we deliver activities, programs, events and services, informing them that, whilst rare, there have been instances of parents/carers using their volunteer status within organisations such as ours as a path to abusing Children or Young People. At the same time, we also state that we appreciate that the vast majority of parent/carer volunteers find the idea of Abusing a Child or Young Person abhorrent and that parents/carers make a considerable contribution to our Sport and thereby to the wellbeing of the Children or Young People to whom we provide activities, events, programs and services.

We inform prospective parent/carer volunteers that, in the light of the above, our approach is to take every precaution to protect the Children or Young People in our care. Accordingly, we have adopted this Framework, which requires Swimming Australia and Clubs to comply with any ‘Working with Children’ check legislation that applies across the jurisdiction(s) in which we operate and to undertake such checks for all prospective parent/carer volunteers.