



Eastern Suburbs Gymnastics Club Safeguarding and Child Protection Policy

Policy Number:	03
Reviewed By:	Esther Maihi
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Next Review Date:	
Revision History:	
1.0	Creation of policy and plan
2.0	Revision on 10/5/2020
3.0	Revision on 17/9/2021
4.0	Revision on 21/1/2022
5.0	Revision on 15/5/2023

1. POLICY STATEMENT

Eastern Suburbs Gymnastics Club (ESGC) is a charitable organisation which aims to create a fun and inspiring environment to develop confidence and passion for a lifelong love of sport, within our community.

ESGC is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by ESGC and its member bodies. This includes both the prevention of harm within gymnastics as well as recognising and responding to concerns disclosures, and allegations both within and outside of the sport. Every person and organisation bound by this Policy must always place the safety and welfare of children above all other considerations. Child protection is everyone's responsibility. Children have the right to express views on all matters which affect them, should they wish to do so, and our organisation will work in partnership with children and parents/carers to promote the welfare, health and development of children.

ESGC's Safeguarding and Child Protection Policy relates and is supported by Eastern Suburbs Gymnastics policies and procedures including (but not limited to):

- ESGC Coach Code of Conduct
- ESGC Code of Conduct
- ESGC Feedback and Complaint Policy

The ESGC Safeguarding and Child Protection Policy is guided by the Gymnastics New Zealand Safeguarding and Child Protection Policy and is in line with the Children's Act 2014 and a range of other relevant Government Legislation.

2. COMMITMENT STATEMENT

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Our organisation is committed to keeping children healthy and safe and prioritises the safeguarding and protection of all our members. We may share information with appropriate agencies (such as health and education providers or other relevant agencies) if sharing that information will protect or improve the safety, health or well-being of a child in accordance with our Safeguarding and Child Protection Policy and Procedures.

Our organisation by law can always share information with Oranga Tamariki and the NZ Police.

3. POLICY OBJECTIVES

The aim of this policy is to promote good practice through:

- promoting the health and welfare of children by providing opportunities for them to take part in gymnastics safely;
- respecting and promoting the rights, wishes and feelings of children;
- promoting and implementing appropriate procedures to safeguard the well-being of children and protect them from harm;
- recruiting, training, supporting and supervising staff, members and volunteers to adopt best practice to safeguard and protect children from harm and to reduce the risk of allegations or complaints against themselves;
- requiring children, staff, members and volunteers to adopt and abide by this Child Protection Policy and these procedures;
- responding to any allegations of misconduct or harm to children in line with this Policy and these procedures, as well as implementing, where appropriate, the relevant investigative, disciplinary and appeals procedures
- regularly monitoring and evaluating the implementation of this Policy and these procedures

4. POLICY SCOPE

This Policy applies to all members of ESGC, athletes, coaches, judges, employees, administrators, officials, volunteers, and members of the club.

This Policy applies to behaviour occurring both within and outside the course of ESGC business, activities and events, when the behaviour involves members and negatively affects relationships within ESGC's sport and work environment.

Administrators

Administrators must ensure that the organisation he or she is employed or engaged by:

- Encourages reporting of discrimination, harassment or child abuse, regardless of who the offender might be, and that appropriate training is provided to those who manage and implement this Policy.

Coaches

- Coaches will ensure they read and understand ESGC's Child Protection Policy and will follow any and all procedures stipulated in this policy to protect all members at ESGC.

5. DEFINITIONS & POLICY COVERAGE

Child: For the purposes of this policy and associated procedures, a child is recognised as someone under the age of 18 years.

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Child Abuse: Relates to 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. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care.

Child abuse may include:

- Physical abuse by hurting a child or a child's development; for example hitting, shaking or other physical harm, giving a child alcohol or drugs, giving bad nutritional advice, or training that exceeds the child's development or maturity.
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (eg. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child; for example, humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring and/or placing unrealistic expectations on a child.
- Neglect; for example, failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury.

Child Protection

ESGC must not employ or engage a person (whether paid or unpaid) to coach or otherwise supervise a child under the age of 18 years without first:

- Requiring that person to disclose whether or not he or she has been convicted of a serious sex offence.
- Conducting a police or other appropriate probity check on that person.

ESGC administration must notify the appropriate authorities of:

- Any applicants for employment that is rejected by ESGC as a result of risks identified through screening processes.
- The name and other identifying details of any person against whom relevant disciplinary proceedings have been completed by ESGC in relation to child abuse (sexual or otherwise) irrespective of the findings.

6. ROLES AND RESPONSIBILITIES

Child Safeguarding Representative

The Child Safeguarding Representatives is the trained person or persons within an organisation responsible for providing advice and support to any individual who is concerned about a child or young person or who wants advice about the organisation's Safeguarding and Child Protection Policy. The Child Safeguarding Representative acts on any concerns, disclosures, or allegations regarding child abuse in accordance with the Safeguarding and Child Protection Policy. The Child Safeguarding Representative is also responsible for creating a child-safe culture in the organisation, embedding relevant policies and procedures, and ensuring training is provided to all who need it.

The Child Safeguarding Representatives for ESGC are available on the club's website and/or noticeboards.

This role is supervised by the ESGC Board and will be reviewed annually.

7. CONFIDENTIALITY AND REPORTING

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7.1. Where a staff member or volunteer receives confidential information from an individual, there is a duty on the individual receiving the information to ensure this information is kept confidential. Generally, this means that such information should not be shared, however there are certain exceptions (which includes exceptions provided in the Privacy Act 2020, and the Oranga Tamariki Act 1989 where confidential information may be shared.

These exceptions are:

- When the individual gives consent for the confidential information to be shared; or
- When there is a reasonable belief there is a risk to an individual's life, health, safety and/or wellbeing; or
- Where the confidential information is required to be disclosed by law or by an appropriate agency.

Therefore, giving information to others for the protection of a child or young person is a justifiable breach of confidentiality and, where there are concerns for a child's or young person's wellbeing or safety, is a legal duty.

7.2. The third-party organisations with whom confidential information may need to be shared may include:

- An appropriate agency
- Gymnastics organisations i.e. where affiliated organisations share information with Gymnastics New Zealand and vice versa
- Other organisations e.g. other sport organisations or community clubs where risks posed by an individual cannot be managed without the disclosure of information.

7.3. No civil, criminal, or disciplinary proceedings may be brought against the person or entity who makes the report which discloses confidential information, provided the disclosure is made in good faith.

Information will always be appropriately shared when there is a concern about a child unless it poses a risk to the child.

7.4. When gathering, storing, or disclosing personal information about individuals, workers must comply with the Information Privacy Principles set outlined the Privacy Act 2020.

7.5. In accordance with the Gymnastics New Zealand Safeguarding and Child Protection Policy, ESGC must report any safeguarding concerns about Gymnastics New Zealand members who may present a risk to others, to the Gymnastics New Zealand Sport Integrity Unit. In these cases, the Sport Integrity Unit will assume responsibility for any further information sharing decisions in consultation with ESGC and relevant statutory authorities.

7.6. Where a safeguarding concern is external to the sport, if an affiliated organisation is not clear that confidential information and/or personal information should be shared, advice about whether sharing is appropriate can be sought from an appropriate agency without disclosing any personal information in the first instance

8. RECRUITMENT

ESGC acknowledges that our staff (paid or unpaid) provide a valuable contribution to the positive experience of our members. As part of ESGC's duty of care, steps must be taken to ensure that suitable and appropriate staff and volunteers (including parents) are engaged to work with children.

8.1. In line with gymnastics New Zealand requirements, ESGC will carry out safe recruiting practices in accordance with the Children's Act 2014 (and the related regulations), including police vetting and reference checks for the following roles:

- All paid staff members including coaches
- All volunteer coaches and board members

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- Other volunteer roles who have regular contact with children and young people
- Team managers and chaperones who travel with athletes to events and training camps including (but not limited to) the New Zealand Gymnastics Championships, international and club tours, and out of town qualifying events and camps
- Host families when billeting athletes.

8.2. When recruiting people to engage with children, ESGC will follow a robust recruitment process that includes:

- Creating a role description
- Following up on referees
- Interviewing
- Screening via Police vetting
- In accordance with the Children's Act 2014 (and the related regulations), ESGC requires all of its staff members to undergo periodic Police vetting every three years.

9. INDUCTION AND TRAINING OF COACHING STAFF

ESGC recognises that induction training for new employees is critical to the safety of children and young people.

- In line with Gymnastics New Zealand requirements, all ESGC coaches must complete basic training in safeguarding and child protection in sport.
- Child Safeguarding Representatives should complete basic training in safeguarding and protecting children and young people in sport and receive further training relating to their role.
- All new staff members and volunteers receive training as part of their induction to ensure they understand their responsibilities and the processes within the organisation.

10. COMPLAINT PROCEDURES AND DISCIPLINARY ACTION

ESGC has developed a Feedback and Complaint Policy and will deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially.

ESGC recognises that natural justice is the minimum standards of fairness to be applied in the investigation and adjudication of a complaint.

Disciplinary action will be taken by ESGC against anyone who:

- Is found to be in breach of this Policy;
- Victimises or retaliates against a person who has complained of a breach of this Policy;
- Is found to have made a frivolous or vexatious complaint.

The discipline will depend on the severity of the case and may involve any apology, counselling, suspension, dismissal or other form of action.

11. SAFE PRACTICE GUIDELINES/ SAFEGUARDING CODE OF BEHAVIOUR

11.1. In order to ensure that the safety and wellbeing of children and young people involved in gymnastics is at the centre of everything we do, ESGC has outlined clear expectations of

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behaviour. These are documented in the ESGC Code of Conduct and the Coaches Code of Conduct.

11.2. Positions of Trust

- Any person who is engaged with Children or Young People through their position with ESGC holds a position of trust.
- These individuals must understand their responsibilities in the understanding and appropriate use of their position of trust.
- A position of trust is a privilege and must not be used to cause harm of any form to children and young people in their care. This includes instigating or engaging in a sexual relationship or behaviour (directly or indirectly) with a child or a young person.
- An individual who breaches this position of trust may be subject to disciplinary action up to and including dismissal or referral to the New Zealand Police

11.3. Communication Boundaries

- Be aware of your communication style and how what you say and do may be interpreted.
- Not all children will understand an action, request or behaviour in the same manner. One child may see an action as usual or acceptable behaviour while another may find it unacceptable. A child's interpretation of an action may also be influenced by cultural and religious differences, disability, gender and prior experiences.

11.4. Physical Contact Boundaries

- Explain in front of all children (and parents, if possible) your method of instruction and when and where you will need to touch them, if at all.
- Use positive and age-appropriate language when talking to and in the presence of children.
- Ensure feedback is linked to performance and is not of a personal nature.
- Ensure any physical contact with children is relevant and appropriate to the development of the skills required for the activity.
- Be careful about which part of your body and how much of it is in contact with a child's body.
- Do not engage in any intimate, over-familiar or sexual relationships with people under the age of 18 years.

11.5. Location Boundaries

- Avoid unaccompanied and unobserved activities with a child (i.e. being alone with a child)
- ESGC will ensure there is a minimum of two adults present during activities involving a child. For private tuition – parents may need to be requested to attend.
- Avoid entering change rooms. If you must enter, knock or announce that you will be coming in and try to have at least one other adult with you. Do not isolate yourself and a child from others in the change room.
- Avoid driving a child unaccompanied.
- Do not invite or encourage children to your home.

11.6. Knowledge Boundaries

- Understand and comply with all relevant policies.
- Understand and comply with the child protection legislation in New Zealand.
- Seek out opportunities to enhance your knowledge on child protection.
- Keep coaching skills and accreditation up to date.
- Do not be afraid to ask questions and to seek advice.

11.7. Leadership Boundaries

Do not engage in or let others engage in:

- Abusive initiation or team bonding activities;
- Rough physically hurtful or sexually provocative games; or

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- Regular scapegoating, ridiculing or taking the 'Mickey out' on a child.

12 COACHING CHILDREN WITH SPECIAL NEEDS

Coaching or working with children with special needs may require more frequent physical contact and touch as a means of meeting the duty of care to them. Touch may be an agreed form of communication between a child, their parent and coach where the child has a communication disability. A coach and others may need to be more vigilant and thoughtful in their physical interactions and different approaches may be required. However, the basic practices and information outlined previously remain applicable to all children. Sporting organisations, coaches and others have a duty of care to protect children from physical and emotional harm and, while the ways of meeting this duty may differ for different groups, the duty itself remains unqualified. Everyone expected to meet this duty should do so in a manner that respects the dignity of all children as well as their vulnerabilities.

13 CULTURAL CONSIDERATIONS

Different cultures have different attitudes and traditions surrounding the concept of appropriate touch. It is important that coaches and others appreciate culturally specific expectations regarding touch so that embarrassment or offence can be avoided for everyone. Where children (and families) are known or suspected to have escaped traumatic circumstances, considerable diplomacy, care and effort in early interactions will need to be taken. Many culturally based community organisations are very keen to address other groups, including sporting groups, about the values of their culture and to establish understanding and respect – it may help to invite or seek their advice so that sport personnel become more familiar with the values of the cultural groups of the children participating in their sport.

14 USE OF IMAGES

Acquiring Images

- If acquiring an image of a child, permission needs to be obtained from the athlete's parent/guardian prior to taking the child's image.
- Do not allow photographers (professional photographers, spectators, fans, coaches or members of the media) unsupervised or individual access to athletes/children.
- Do not approve photo/video sessions outside the event venue or at the home of a child unless parent/guardian consent is obtained and they agree to be present at the photo opportunity.
- Provide details of who to contact if concerns or complaints of inappropriate photographic behaviour or content are raised.
- Coaches are not to obtain videos or images of children on their own personal devices. They may use ESGC media devices available if videoing/photography is to be used as a coaching aid. The media is to be deleted immediately afterwards. Alternatively, videoing on a child's personal device for this purpose is permitted with their permission.

Displaying Images

- If permission needs to be obtained from the parent/guardian of the athlete/child, obtain it prior to using the image of the athlete/child. Ensure that all concerned are aware of the way in which the image is to be used and for how long the image will be displayed.
- If the athlete/child is named, avoid using their image.
- If an image is used, avoid naming the athlete/child. If this is not possible avoid using both a first name and surname.
- Do not display personal information such as residential address, email address or telephone numbers without gaining consent from the athlete/child, or if applicable, their parent/guardian.

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Eastern Suburbs Gymnastics Club
89 Apirana Avenue, Glen Innes, Auckland
admin@esgc.co.nz
(09) 5280941
www.esgc.co.nz

- Do not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by paedophiles or other persons.
- Only use appropriate images of the athlete/child, relevant to the sport or activity, and ensure that the athlete/child is suitably clothed. Images of athletes participating in sports or activities that involve minimal clothing (eg. swimming and gymnastics) or unusual body positions/poses could potentially be misused. The age of child is another factor to consider when deciding if the image is appropriate. The image should focus on the activity and not on a particular child.
- Reduce the ability for the direct copying of pictures from a website to another source (i.e. disable the 'right mouse click' function).
- Provide details of who to contact and what to do if concerns or complaints of inappropriate image use are raised.

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