



Nelson Hockey Association Child Protection Policy 2023

Background

As outlined in Nelson Hockey Association's (NHA) *Child/Youth Protection Policy & Procedures 2019*, NHA will:

- a. "Adopt child/youth protection guidelines for players and all adults¹ working at Hockey Nelson
- b. Ensure complaints and disciplinary procedures are embedded in our operational policies and procedures."

This Child Protection Policy 2023 document gives effect to the above commitments.

Policy Statement

NHA is fully committed to safeguarding the welfare of all children in its care. We recognise the responsibility to promote safe practice and to protect children from harm and exploitation while participating in our activities.

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

In implementing this policy, we are committed to the following principles:

- a. The welfare of children is the primary concern.
- b. All children, no matter their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and or sexual identity have the right to protection from all forms of harm.

¹ Adult workers include, but are not necessarily limited to, coaches, managers, officials, parents, volunteers, the NHA Board and staff, and contractors (including Canteen Operators and Pro Shop Operators).

- c. Child protection is everyone's responsibility.

The welfare of children is paramount, any misconduct will not be tolerated by NHA and any complaint will be handled appropriately, fairly and promptly.

We encourage you to speak up if you experience or witness behaviour that you consider may breach this policy.

Purpose

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

- a. Promoting the health and welfare of children by ensuring they are able to take part in sport safely.
- b. Respecting and promoting the rights, wishes and feelings of children.
- c. Promoting and implementing appropriate procedures to safeguard the wellbeing of children and protect them from harm.
- d. Supporting staff, members and volunteers to adopt best practice to safeguard the wellbeing of children and protect them from harm.
- e. Responding to any allegations of misconduct or harm to children.
- f. Implementing the relevant investigative disciplinary and appeals procedures

Scope

This Policy applies to NHA personnel (including, but not necessarily limited to, coaches, managers, players, officials, parents, volunteers, the NHA Board and staff, and contractors (including Canteen Operators and Pro Shop Operators)).

Types of harm

Outlined below are the types of harm that may exist.

- a. Physical injury caused by:
 - Environmental conditions
 - Unsafe equipment and/or facilities
 - Poor technique
 - Violent or aggressive behaviour
- b. Social, emotional and cultural:
 - Emotional harm occurs when a child's self-esteem is undermined
 - Social harm damages the relationship that children have with other children and adults
 - Cultural harm occurs when a child's beliefs or practices are not acknowledged or accepted.

c. Sexual

- Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities (penetrative or non-penetrative) for example rape, kissing, touching, masturbation as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours.

d. Neglect:

- Neglect is the persistent failure to meet a child's basic physical and or psychological needs, causing long term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack of action, emotion or basic needs.

Guidelines for conduct when working with children

NHA may require any NHA personnel to undertake a safety check/vetting through any specified provider at any time.

These protocols provide guidance to those working with children by outlining good practice and establishing boundaries in a range of situations. The intention of these protocols is to reduce the likelihood of harm to a child.

a. Applying a child-centred approach where all children are treated equally and with dignity:

- activities should be appropriate for the age and development of the children in your care
- ensure feedback to children is about their performance and not of a personal nature
- use positive and age-appropriate language when talking to children and in their presence.

b. Creating a safe and open working environment that also reduces risk to staff and volunteers:

- exercise common sense
- do not send children off to train alone and out of sight and supervision
- ensure that children use appropriate protective gear, including a mouth guard and shin pads
- ensure that all physical contact with children is appropriate to the activity
- seek permission to touch when doing the above
- do not engage in any intimate, over-familiar or sexual relationships with people under the age of 18 years
- ensure that any filming or photography of children is appropriate
- explain the purpose and obtain consent (from parents/caregivers) prior to filming or photographing children

- request parental consent before transporting children in a vehicle, and ensure that the vehicle is insured and has a current Warrant of Fitness and registration
 - ensure you have parental consent to administer first aid if required
 - do not use alcohol in the presence of children and do not offer alcohol to children under any circumstances
 - do not engage in communication with a child, on a one-on-one basis, through social media, texting or email, other than for relevant coach/athlete feedback or administration
 - do not allow parents, coaches, other children, or spectators to engage in any type of bullying behaviour (this includes cyber/text bullying)
 - do not engage in any bullying activity.
- c. Avoiding situations where you are alone with a child:
- avoid private or unobserved situations, including being alone with a child in the changing rooms
 - avoid entering changing rooms - if you must enter, knock and announce yourself and try to have at least one other adult with you
 - avoid driving a child unaccompanied
 - do not invite or encourage children to your home
 - always have another adult present when staying overnight anywhere with children
 - do not share a room with a child, other than your own.

Dealing with Child Welfare Issues

In dealing with complaints of the types of behaviour outlined in this policy, or behaviour that falls short of our expectations or our values, NHA will:

- a. Deal with the matter fairly and as quickly as possible;
- b. Respect the feelings and views of the complainant;
- c. Provide a fair process for the respondent to the complaint; and

Process:

- a. Ensure the child is safe from immediate harm and danger
- b. Listen to the child and reassure them.

- c. Record accurately and appropriately any information received/observed².
- d. Record facts concisely including:
 - Type of harm
 - Signs and symptoms noted
 - Any particular incidents with dates, times and place
 - Any action taken
- e. Consult immediately with the person responsible for child safety at NHA.
- f. The complaint will then be assessed fully, promptly, confidentially and independently³.
- g. NHA must inform NHA personnel of any allegations against them.
- h. Report your concern to the police
- i. Follow the advice of the police.
- j. Decide who will inform the parents and provide support to the family.
- k. Ensure the child is in a safe place.
- l. The investigation will be handled sensitively and confidentially.

In some circumstances, NHA may decide that an investigation is necessary even where a formal complaint has not been made.

Other avenues of laying a formal complaint

If your complaint is not resolved satisfactorily or you wish to seek outside assistance you can refer the problem to:

- a. Hockey New Zealand
- b. Human Rights Commission;
- c. Netsafe;
- d. Sport and Recreation Complaints and Mediation Service; and/or
- e. WorkSafe New Zealand;

Responsibilities of NHA personnel

NHA personnel have the following responsibilities to:

² Further guidance on appropriate information to gather is available in Safeguarding Children's "Making an effective Report of Concern" document available here: <https://safeguardingchildren.org.nz/worried-about-a-child/>

³ Independently means the person(s) investigating the complaint shall not be the subject person of the complaint and/or have a conflict of interest in the investigation of the complaint.

- a. Promoting respect for each other
- b. understand what is acceptable and what is not
- c. ensure the child/children is safe from immediate harm
- d. model appropriate behaviour at all times
- e. being aware of their own conduct and the potential impacts this may have on others
- f. ensure the personnel within their supervision are aware of this Policy
- g. listen and seek to fully understand concerns raised
- h. intervene in any inappropriate behaviour, and seek to stop it
- i. ensure that complainants are not victimised as a result of making a complaint
- j. investigate any allegations of personnel; take reasonably practicable steps to prevent the recurrence that has been found to have occurred
- k. not retaliating if an issue is raised and providing support to those who may raise an issue
- l. participating openly and honestly in any discussions or investigations taken
- m. accepting personal responsibility for their action.

The Outcome

NHA personnel found to have breached this policy may be subject to disciplinary action up to and including dismissal or termination of contract.

Possible outcomes of the investigative process:

- a. A satisfactory mediated outcome
- b. Disciplinary action imposed for a breach of this policy
- c. No action taken due to finding no breach of the policy or insufficient evidence
- d. Action against the complainant (or other person) due to a finding of frivolous, vexatious or malicious allegation.
- e. Referral to another agency.

Types of actions or penalties that could potentially result from a breach of the policy.

- a. Written warnings
- b. Suspension of a person from a role they hold within NHA.
- c. Banning of a person from activities held by or sanctioned by NHA.
- d. A direction to complete a reasonable task i.e letter of apology or corrective action

- e. Referral of the matter to an appropriate authority
- f. Ongoing education on the matter
- g. Termination or dismissal from role, as applicable.

Vexatious or Malicious Complaints

The purpose of the complaint procedure set out in this policy is to provide an avenue to raise genuine complaints in good faith.

If a complaint was vexatious or maliciously made, then disciplinary action against the complainant may be taken. However, just because a complaint is not upheld does not mean that it is vexatious and / or malicious.

Support Available

You can seek support from:

- a. Your manager
- b. Your coach
- c. NHA Operations Manager
- d. Further resources in Sport New Zealand's Child Protection material available here: <https://sportnz.org.nz/resources/child-protection/>

Relevant Legislation

This Policy takes into account the following legislation:

- a. Employment Relations Act 2000
- b. Harassment Act 1997
- c. Health and Safety at Work Act 2015
- d. Human Rights Act 1993
- e. Privacy Act 1993
- f. Harmful Digital Communications Act 2015
- g. Crimes Act 1961 – Protection of Children
- h. Children, Young Persons and their Families Act 1989
- i. Health and Safety in Employment Act 1992
- j. Vulnerable Children Act 2014