



Nelson Hockey Association Vulnerable Person Protection Policy 2024

Policy Statement

Nelson Hockey Association (NHA) is fully committed to safeguarding the welfare of all vulnerable people in its care. We recognise the responsibility to promote safe practice and to protect vulnerable people from harm and exploitation while participating in our activities.

For the purposes of this policy and associated procedures, a **vulnerable person** includes, but is not necessarily limited to, people under the age of 18 years, people with physical or mental disablement, and any other person who may be vulnerable for any reason, whether knowingly or otherwise.

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

- a. The welfare of vulnerable people is the primary concern.
- b. All vulnerable people, 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.
- c. Vulnerable persons protection is everyone's responsibility.

The welfare of vulnerable people 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 vulnerable people by ensuring they are able to take part in sport safely.
- b. Respecting and promoting the rights, wishes and feelings of vulnerable people.
- c. Promoting and implementing appropriate procedures to safeguard the wellbeing of vulnerable people and protect them from harm.
- d. Supporting staff, members and volunteers to adopt best practice to safeguard the wellbeing of vulnerable people and protect them from harm.
- e. Responding to any allegations of misconduct or harm to vulnerable people.
- 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)). This policy is implemented by the Operations Manager (or their appointed person), with oversight by the Board.

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 vulnerable person's self-esteem is undermined
 - Social harm damages the relationship that vulnerable people have with other people
 - Cultural harm occurs when a vulnerable person's beliefs or practices are not acknowledged or accepted.
- c. Sexual
 - Sexual abuse involves forcing or enticing a vulnerable 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 vulnerable people in the looking at or production of sexual images, sexual activities and sexual behaviours.

d. Neglect:

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

Guidelines for conduct when working with vulnerable people

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 vulnerable people 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 vulnerable person.

a. Applying a person-centred approach where all people, including vulnerable people, are treated equally and with dignity, including:

- activities should be appropriate, positive and supportive for the age and development of the vulnerable people in your care
- ensure feedback to vulnerable people is about their performance and not of a personal nature
- use positive and age-and-development-appropriate language when talking to vulnerable people 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 vulnerable people off to train alone and out of sight and supervision
- ensure that vulnerable people use appropriate protective gear, including a mouth guard and shin pads
- ensure that all physical contact with vulnerable people 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 vulnerable people
- ensure that any filming or photography of vulnerable people is appropriate

- explain the purpose and obtain consent (from parents/caregivers) prior to filming or photographing vulnerable people
 - request parental/caregiver consent before transporting vulnerable people in a vehicle, and ensure that the vehicle is insured and has a current Warrant of Fitness and registration
 - ensure you have parental/caregiver consent to administer first aid if required
 - do not use alcohol when responsible for vulnerable people, or at any other unsuitable time. Do not offer alcohol to vulnerable people under any circumstances
 - do not engage in communication with a vulnerable person, 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, children, other vulnerable people 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 vulnerable person:
- avoid private or unobserved situations, including being alone with a vulnerable person 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 vulnerable person unaccompanied
 - do not invite or encourage vulnerable people to your home
 - always have another adult present when staying overnight anywhere with vulnerable people
 - do not share a room with a vulnerable person, (unless the person is your child).

Dealing with Vulnerable Person 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 vulnerable person is safe from immediate harm and danger

- b. Listen to the vulnerable person and reassure them.
- c. Record accurately and appropriately any information received/observed¹.
- 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 vulnerable person safety at NHA².
- 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 as appropriate.
- i. Follow the advice of the police.
- j. Decide who will inform the parents/caregivers and provide support to the family.
- k. Ensure the vulnerable person 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;

¹ 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/>

² The person responsible for vulnerable person safety at NHA is the Operations Manager or a person appointed by them.

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.

- 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:

- a. Promoting respect for each other
- b. understand what is acceptable and what is not
- c. ensure vulnerable people are 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, and comply with, 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 2020
- 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

Monitor and review the policy and procedures

NHA personnel who are responsible for this policy shall monitor its implementation. Any challenges, difficulties, achievements, gaps and areas where changes are required shall be reported to the NHA Board. The policy should be reviewed every 3 years or whenever there is a major change in the organisation or in relevant legislation.

Version Control			
Version 1	Reviewed May 2024	Lead Review S Nevin	Review Due May 2027