Australian Government
Sport Integrity Australia

SPORT INTEGRITY AUSTRALIA

NATIONAL INTEGRITY FRAMEWORK

Safeguarding Children and Young People Policy

MOTORCYCLING AUSTRALIA LIMITED

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1. Policy Intent

Motorcycle sport has a zero-tolerance policy to harm, abuse and/or neglect of a Child/Young Person in any form.

All Children/Young People have the right to feel safe and protected from all forms of abuse, harm, and neglect. Children/Young People have the right to take part in sport in a safe, positive, and enjoyable environment. Motorcycling Australia (MA) is committed to safeguarding and promoting the welfare of Children/Young People in Motorcycle sport by providing a safe and inclusive environment and by ensuring that everyone involved in Motorcycle sport is aware of their rights and responsibilities in relation to Children/Young People.

If you have reason to believe that a Child/Young Person is at immediate risk of harm, you must follow the procedures set out in Annexure A: Responding to Risk of Abuse and Harm to Children and Young People and report to the appropriate law enforcement and/or child protection agency.

This Policy is separated into two sections.

- The main body of the Policy, including Annexure B, sets out behaviours that will constitute Prohibited Conduct in Motorcycle sport, and which may be subject to sanctions under the Complaints, Disputes and Discipline Policy ('Prohibited Conduct').
- Annexure C and its appendices provide guidance regarding the standards of behaviour expected of those involved in Motorcycle sport. Failing to comply with the guidance set out in Annexure C will not be considered Prohibited Conduct under this Policy, but compliance may be required under state or territory requirements.

To provide a Child/Young Person-safe environment, Relevant Organisations:

- must comply with the 'Responding to Child Abuse Allegations' in Annexure A to the extent required by any applicable state/territory law;
- must understand and comply with relevant Child/Young Person safety standards within their respective jurisdiction;
- should adopt and implement a Child/Young Person safe commitment statement (example provided in Appendix 1 of Annexure C) and appropriate recruitment, screening and training requirements for employees and volunteers working in Child-related positions (see examples provided in Appendix 2 to 5 of Annexure C); and
- should use best efforts to assist Relevant Persons to fulfil their responsibilities under this Policy.

In addition to complying with the requirements of this Policy, Relevant Persons should:

- comply with all obligations that they are subject to under relevant state/territory Child Protection Legislation;
- comply with all legislative obligations that they are subject to in relation to reporting of suspected Child Abuse or holding a WWCC[1];
- report any concerns or allegations of Prohibited Conduct involving any Relevant Person or Relevant Organisation; and
- provide true and accurate information during recruitment and screening processes.

Relevant Persons and Relevant Organisations should familiarise themselves with their state/territory reporting requirements. Failure to comply with these requirements could result in criminal proceedings and/or further action.

This Policy is part of MA's proactive and preventative approach to upholding its commitment to the safety, wellbeing, participation, and empowerment of all Children/Young People who access Motorcycle sport.

2. Definitions

In this Policy, the following words have the corresponding meaning:

Activity means a sporting contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, which is sanctioned or organised by a Relevant Organisation.

Adult means a person aged 18 years or over.

[1] Child Family Community Australia Working with Children Checks & Police Checks Resource Sheet website.

Approved Person means a family member such as mother, father, sister, brother, grandparent, aunt, uncle or cousin, a guardian, carer, or a person who has been approved by the parent/carer and has an established relationship with the Child/Young Person and/or their family.

Bullying means a person or group of people repeatedly and intentionally using words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing, whether in-person or online.

Child/Young Person means a person who is under the age of 18 years.

Child Abuse means;

(a) **Physical Abuse** is when a person subjects a Child/Young Person to application of physical force, which may cause injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a Child/Young Person. Physically abusive behaviour includes, but is not limited to:

i. shoving, hitting, slapping, shaking, throwing, punching, biting, burning, kicking; and

ii. harmful training methods or overtraining where there is the potential to result in damage to a Child/Young Person's physical development.

(b) **Emotional Abuse** occurs when a Child/Young Person does not receive the love, affection, or attention they need for healthy emotional, psychological, and social development or are exposed to violence/abuse against other Children/Young People or Adults. Such abuse may involve:

i. repeated rejection or threats to a Child/Young Person (either in-person or online);

ii. constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule, intentional exclusion, continual coldness, and rejection (either in-person or online);

iii. Bullying and Harassment (either in-person or online);

iv. threats to physically harm or hurt a Child/Young Person (either in-person or online); and

v. harmful training methods or overtraining where there is the potential to result in damage to a Child/Young Person's physical, intellectual, or emotional wellbeing and development.

(c) **Sexual Abuse** occurs when an Adult, or a person in authority (i.e., older, or younger but more physically or intellectually developed) involves a Child/Young Person in any sexual activity.

Perpetrators of sexual abuse take advantage of their power, authority, or position over the Child/Young Person for their own benefit. It can include making sexual comments to a Child/Young Person, kissing, touching a Child/Young Person's genitals or breasts, oral sex, or intercourse with a Child/Young Person.

(d) **Neglect** is the persistent failure or deliberate failure or denial to meet a Child/Young Person's basic needs. Neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water, medical attention, or supervision to the extent that the Child/Young Person's health and development is or is likely to be harmed. Types of Neglect include physical, medical, emotional, educational neglect and abandonment.

(e) **Exposure to Family and Domestic Violence** refers to abusive behaviour in any personal relationship that allows one person to intimidate, or to gain power and control over the other. This is often thought of to occur between married spouses or in other intimate relationships, but actually refers to any family relationship, or persons living in the same home.

Child Protection Legislation means all state/territory Child/Young Person protection legislation as amended from time to time, a summary of which is available here.

Child/Young Person Safe Commitment means a Relevant Organisations' commitment to Child/Young Person safety in Motorcycle sport, an example of which is outlined in Appendix 1 of Annexure C.

Child/Young Person Safe Practices means the Child/Young Person safety requirements and practices adopted and implemented by Relevant Organisations to help ensure the safety of Children/Young People participating in a Motorcycle sport Activity as outlined in Annexure B.

Complaints, Disputes and Discipline Policy means the policy adopted by MA for the handling and resolution of allegations regarding Prohibited Conduct.

Contractor means any person or organisation engaged to provide services for, or on behalf of, a Relevant Organisation. This includes agents, advisers, and subcontractors of a Relevant Organisation and employees, officers, volunteers, and agents of a Contractor or subcontractor.

Discrimination includes both direct and indirect discrimination (either on person or online) which have the following meaning**:**

(a) '**Direct discrimination**' occurs where, because a person has a Protected Characteristic, they are treated less favourably than a person without that characteristic would be treated in the same or similar circumstances.

(b) '**Indirect discrimination'** occurs where a practice, rule, requirement or condition that applies to everyone disadvantages people with a Protected Characteristic and the practice, rule, requirement or condition is not reasonable in the circumstances.

Employee means a person employed by a Relevant Organisation.

Grooming means behaviours that manipulate or control a Child/Young Person, their family, guardian and carers or other support networks, or organisations, with the intention to gain access to the Child/Young Person, obtain the Child/Young Person's compliance, maintain the Child/Young Person's silence, and avoid discovery of sexual abuse.

Harassment means any type of behaviour towards a Child/Young Person that they do not want and that is offensive, abusive, belittling or threatening and is reasonably likely to cause harm to the Child/Young Person who is the subject of the harassment, whether in-person or online.

Harmful Behaviour Towards a Child/Young Person means any behaviour involving a Child/Young Person that is objectively age inappropriate and/or places the Child/Young Person at risk of harm. This includes but is not limited to:

(a) Child Abuse;

(b) harmful training methods including physical punishment or overtraining which may cause harm to a Child/Young Person;

(c) excessive or unnecessary emphasis on appearance, weight requirements or muscularity (either in-person or online) that may include practices such as:

  i. encouraging or enforcing excessive dieting or restrictive eating;

  ii. excessive weigh-ins or focus on weight goals, body composition testing that is a sport requirement that carries punishment for the outcome (for example repeated bouts of exercises as punishment for weight gain); or

  iii. unsafe practices that could put health at risk in order to reach weight or appearance requirements without adequate medical support (for example dehydration or restrictive eating).

(d) forcing a Child/Young Person to train or compete when ill or injured;

(e) threatening or humiliating a Child/Young Person (either in-person or online);

(f) using disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating;

(g) making sexual comments to a Child/Young Person or engaging in open discussions of a sexual or Adult nature with (either on person or online), or in the presence a Child/Young Person;

(h) taking inappropriate photos or footage of a Child/Young Person; or

(i) inappropriate and/or intimate physical contact with a Child/Young Person which is sexual in nature or causes them to feel uncomfortable or feel pain or distress.

Member means a member of a Relevant Organisation, including:

(a) **Member Organisation**, which means each company or incorporated association that is a member of MA - including each:

  i. state, territory, and Club Member; and

  ii. affiliate that is a member of a state and territory Member.

(b) **Individual Member**, which means individuals who are individuals registered with a Relevant Organisation.

Motorcycle sport means the sport of motorcycling, as governed by MA and FIM from time to time

National Integrity Framework or NIF means the National Integrity Framework as developed by Sport Integrity Australia (SIA) and consisting of the following five policies:

(a) Safeguarding Children and Young People Policy;

(b) Competition Manipulation and Sport Gambling Policy;

(c) Improper Use of Drugs and Medicine Policy;

(d) Member Protection Policy; and

(e) Complaints, Disputes and Discipline Policy.

Participant means:

(a) Athletes;

(b) coaches appointed to train an athlete or team in an Activity;

(c) administrators who have a role in the administration or operation or Activity of a Relevant Organisation including owners, directors, committee members or other persons;

(d) officials including referees, umpires, technical officials, or other officials appointed by a Relevant Organisation, or any league, competition, series, club, or team sanctioned by a Relevant Organisation;

(e) support personnel who are appointed in a professional or voluntary capacity by a Relevant Organisation, or any league, competition, series, club, or team sanctioned by a Relevant Organisation including sports science sports medicine personnel, team managers, agents, selectors, and team staff members.

Person in Position of Authority means a person, regardless of age, who through their position or involvement in Motorcycle sport can exercise power, control, or influence over a Child/Young Person.

Policy means this Safeguarding Children and Young People Policy including any annexures and appendices.

Prohibited Conduct means the conduct prescribed at clause 4 of this Policy.

Protected Characteristic means:

(a) age;

(b) disability;

(c) race or ethnicity;

(d) sex or gender identity;

(e) sexual orientation; or

(f) religion.

Recruitment, Screening & Training means the Child/Young Person safety, recruitment, screening and training strategies adopted and implemented by Relevant Organisations to help ensure the safety of Children/Young People participating in Motorcycle sport, as outlined in Appendix 2 of Annexure C.

Relevant Organisation means any of the following organisations:

(a) MA;

(b) Member Organisations; or

(c) any other organisation that has agreed to be bound by NIF and/or the Relevant Policies.

Relevant Person means any of the following persons:

(a) Individual Member;

(b) Participant;

(c) Employee;

(d) Contractor;

(e) Volunteer; or

(f) Any other individual who has agreed to be bound by the National Integrity Framework and/or the Relevant Policies.

safe means that wherever the word "safe" is used throughout this Policy, this is used to refer to a Child or Young Person being safe from the conduct outlined in clause 4 (Prohibited Conduct) and does not refer to physical safety from injury or accident while participating in motorcycle events.

Victimisation means subjecting a person, or threatening to subject a person, either in-person or online, to any unfair treatment because the person has made, or intends to pursue their right to make, a complaint, report or lawful disclosure, including under applicable legislation or this Policy, or for supporting another person to take such action.

Vilification means a public act, conduct or behaviour, either in-person or online, that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a Protected Characteristic they hold, as covered by applicable legislation.

Volunteer means any person engaged by a Relevant Organisation in any capacity who is not otherwise an Employee or Contractor, including parents or carers that volunteer, directors, office holders, coaches, officials, administrators and team and support personnel;

WWCC means a 'Working with Children Check' (however named) under the applicable legislation of a state or territory, a summary of which is available here.

Any capitalised term not defined in this Policy has the meaning given to it in the Complaints, Disputes and Discipline Policy.

3. Jurisdiction

3.1 Who this Policy applies to

This Policy applies to:

(a) Relevant Persons; and

(b) Relevant Organisations.

3.2 When this Policy applies

(a) All Relevant Persons and Relevant Organisations to which this Policy applies must comply with this Policy (at all times whilst they are a Relevant Person or Relevant Organisation), including:

i. in relation to any dealings they have with a Child/Young Person arising from the Relevant Person's, Relevant Organisation's, or the Child/Young Person's involvement in any capacity with Motorcycle sport.

ii. in relation to any dealings relating to a Child/Young Person that they might have with a Relevant Organisation or their staff, contractors, and representatives;

iii. when dealing with a Child/Young Person or other Relevant Person or Relevant Organisation in their capacity as a Relevant Person or Relevant Organisation; and

iv. in relation to their Membership or standing as a Relevant Person or Relevant Organisation in general.

(b) This Policy does not apply to interactions involving a Relevant Person and a Child/Young Person where there is no direct or indirect link to Motorcycle sport or a Relevant Organisation.[2]

[2] Such as pre-existing personal or family relationships.

4. Prohibited Conduct

4.1 Prohibited Conduct – Relevant Persons

A Relevant Person commits a breach of this Policy when they:

(a) are found guilty of any breach of a relevant state or territory or Commonwealth law relating to or involving Child Abuse or Grooming; or

(b) either alone or in conjunction with another or others, engage in any of the following conduct, either in-person, online or via any other form of telecommunication, against, or in relation to, a Child/Young Person in the circumstances outlined in clause 3.2:

i. Harmful Behaviours Towards a Child/Young Person;

ii. Bullying;

iii. Discrimination;

iv. Harassment;

v. Victimisation;

vi. Vilification;

vii. request or infer that the Child/Young Person keep any communication secret from their parents/carer, or other Relevant Person such as a coach or administrator, or Relevant Organisation[3];

viii. supply alcohol, or drugs (including tobacco) to a Child/Young Person;

ix. supply medicine to a Child/Young Person, except for:

(A) where the Relevant Person reasonably believes that the medicine is necessary for lifesaving medical treatment;

(B) when permitted by law; or

(C) with the consent of the parent, guardian, or carer of the Child/Young Person and under a valid prescription for that Child/Young Person and at the prescribed dosage; or

(c) do not comply with the Child/Young Person Safe Practices as set out in Annexure B that are applicable to all Relevant Persons.

4.2 Prohibited Conduct – Person in a Position of Authority

In addition to Prohibited Conduct outlined in 4.1, a Person in a Position of Authority commits a breach of this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct against, or in relation to, a Child/Young Person in the circumstances outlined in clause 3.2:

(a) continue in a Child/Young Person-related position[4] if they have been charged or convicted of a crime that would make them ineligible to be granted a WWCC; or

(b) do not comply with the Child/Young Person Safe Practices that are applicable to Persons in a Position of Authority as set out in Annexure B.

4.3 Prohibited Conduct – Relevant Organisations

A Relevant Organisation commits a breach of this Policy when it:

(a) engages a person who does not have a satisfactory WWCC in the relevant jurisdiction(s) [5];

(b) does not confirm the validity of a Relevant Person's WWCC currency;

(c) does not undertake any screening measures when appointing a person to a child-related position;

(d) does not obtain adequate informed consent from Approved Person/s prior to any sport sanctioned transportation or overnight accommodation of Children/Young People; or

(e) has knowledge of and does not report a breach of clauses 4.1 or 4.2 to SIA or MA in accordance with the Complaints, Disputes and Discipline Policy.

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[3] This does not include ordinary peer to peer interactions between Children/Young People.

[4] Appendix 3 provides examples of roles that may be considered Child-related positions.

[5] For the avoidance of doubt, if a person is not eligible to apply for a WWCC in the relevant jurisdiction (e.g. because they are a parent), it will not be a breach of this clause for a Relevant Organisation to engage that person without a WWCC.

5. Reporting and Complaints

(a) Allegations of Prohibited Conduct under this Policy may be submitted to SIA or MA and will be managed in accordance with the MA Complaints, Disputes and Discipline Policy. SIA has jurisdiction to assess and investigate (if required) all matters that are deemed to be in-scope under this Policy.

(b) Where a Relevant Organisation becomes aware of a potential breach of this Policy and the information known about that potential breach is such that it would cause a reasonable person to suspect that a Child/Young Person is, or is at risk of, harm or being abused and/or neglected:

i. the Relevant Organisation must comply with the requirements of Responding to Risk of Abuse and Harm in Annexure A . This includes waiting until statutory agencies have confirmed that they are either not responding to an allegation or have finalised any intervention they deem appropriate;

ii. no further action under the Complaints, Disputes and Discipline Policy in relation to that potential breach should occur until the obligations in clause 5(b)(i) are complied with; and

iii. the Relevant Organisations must apply appropriate risk mitigation strategies to keep all Children/Young People safe while an allegation or complaint is being assessed/investigated. This may include interventions such as supervision, suspension, restriction of duties or temporary redeployment, or suspension or restriction of rights, privileges or benefits.

6. Other Matters

6.1 Education

(a) To prevent breaches of this policy, build positive behaviours in sport and protect participants from the threat posed by behaviours and environments that are unsafe to Children/Young People, MA is responsible for developing and implementing an education plan addressing the content and subject matter of this Policy.

(b) MA should engage SIA to assist in the design, implementation, and maintenance of the education plan and to determine priority education groups and appropriate interventions.

(c) The Relevant Organisation may, from time to time, direct certain Participants to undertake education, which will be relevant and proportionate to their level of participation in Motorcycle sport and the associated integrity risks.

(d) SIA has developed a range of safeguarding education resources and training material for different audiences (e.g. Children/Young People, coaches, clubs etc.) which can be found here. MA has no responsibility for these resources.

6.2 Information sharing

Subject to the *Privacy Act 1988* (Cth), Relevant Organisations may share information they receive relating to Child/Young Person safety issues within their sport with Sport Integrity Australia to enable SIA to effectively perform its functions.

6.3 State/territory specific child safe standards

This Policy is underpinned by the National Principles for Child Safe Organisations. Some states and territories have established their own child safe standards with compliance requirements. Relevant Organisations and Relevant Persons are responsible for familiarising themselves with the legislative requirements in their state or territory and taking steps to ensure that they are meeting any additional compliance requirements, including by adopting additional procedures, policies or standards where necessary.

Annexure A: Responding to Risk of Abuse and Harm to Children and Young People

Under relevant state/territory laws, failure to report any reasonable suspicion or knowledge that a Child/Young Person is or is likely to be at risk of harm could result in criminal proceedings. This Annexure provides examples of the main actions that must be followed, however knowledge of the relevant state/territory reporting obligations is critical.

You must ACT.

As a person involved in Motorcycle sport you play a crucial role in protecting Children/Young People. You must follow the four actions set out below when responding to any Child Abuse allegations.

Action 1 - Responding

If a Child/Young Person is at risk of immediate harm, you must ensure their safety by:

- Calling 000 for medical and/or police assistance to respond to urgent health or safety concerns;
- Administering first aid, if required:
- Separating at-risk Child/Young Person and others involved;
- Identifying an appropriate contact person for any on-going liaison with the Police.

If there is no immediate harm, go to Action 2 below.

Action 2 – Reporting

If you suspect, on reasonable grounds that a Child/Young Person was, is, or is at risk of being abused and/or neglected, you must report it to the police and/or the relevant state/territory Child protection agency, a list of which can be found here.

If the alleged Child Abuse is occurring in a Relevant Organisation, it may also be documented on the Report Form found at MAKE AN INTEGRITY COMPLAINT OR REPORT | Sport Integrity Australia.

Action 3 – Contact

You must contact the police and/or the relevant child protection agency to determine the information that may be shared with parents/carers, and who should lead this contact (i.e., police, Child Protection department or Relevant Organisation representative). This could include advice:

- not to contact the parents or carers in circumstances where they are alleged to have engaged in the abuse.
- to contact the parents/carers and provide agreed information as soon as possible.

Action 4 – Support

- Support should be provided to any Child/Young Person that has experienced abuse.
- It is important that the person providing support to the Child/Young Person does not attempt to provide support which is outside of the scope of their role.
- Support should include maintaining a calm open manner when listening to any allegations and disclosures, while avoiding seeking detailed information or asking leading questions.
- Information regarding allegations of Abuse need to be well documented and shared with MA's designated contact.
- Further support for the Child/Young Person, relevant Adults and others involved may be required, including a referral to wellbeing or healthcare professionals and or the development of a safety plan.

Child Safe Contact at MA:

Name: Tony Hynes, Manager Legal and Insurance

M: 0419 014 995

E: legal@ma.org.au

Annexure B: Child/Young Person Safe Practices

MA is committed to safeguarding everyone involved in our organisation including Children/Young People in our care, so that they feel safe and are safe. MA's Child/Young Person Safe Practices have been developed to identify and prevent behaviour that may be harmful to the Children/Young People in our sport.

There are exceptions where the Child/Young Person Safe Practices do not apply:

- when a Relevant Person/Person in a Position of Authority is also an Approved Person in respect to that Child/Young Person.
- in an emergency and where the action is protective of a Child/Young Person, when prior authorisation is not possible.

These Child/Young Person Safe Practices set out requirements for how Relevant Organisations and Relevant Persons must behave with and around Children/Young People. A failure to comply with the Child/Young Person Safe Practices will be a breach of the Safeguarding Children and Young People Policy and constitute Prohibited Conduct as set out in clause 4 of the Policy.

1. Professional boundaries

(a) A Person in a Position of Authority must establish and maintain professional boundaries (both in-person and online) when working with Children/Young People who are involved in our sport. Professional boundaries ensure that the nature of the relationship between a Person in a Position of Authority and Child/Young Person does not move from a professional one to a personal one and becomes harmful or exploitative of the Child/Young Person and/or family.

(b) A Person in a Position of Authority, unless they are also an Approved Person must not:

i. provide any form of support to a child or their family unrelated to the scope of their role (e.g., financial assistance, babysitting, provide accommodation);

ii. use a personal phone, camera, or video camera to take images or video footage of Children/Young People unless prior written authorisation from the Relevant Organisation is provided;

iii. exhibit any type of favouritism towards a Child/Young Person;

iv. transport Children/Young People other than in accordance with Child/Young Person Safe Practices clause 12, Transporting Children/Young People;

v. give gifts/presents to Children/Young People other than the provision of official awards;

vi. have one on one contact with a Child/Young Person outside of authorised sport activities (includes direct contact such as in-person as well as indirect, such as by phone, or online); or attend any private social function at the request of a Child/Young Person or their family.

(c) If Relevant Persons become aware of a situation in which a Child/Young Person requires assistance that is beyond the scope of that person's role, they must undertake any or all of the following at the earliest opportunity:

i. refer the matter to an appropriate support agency;

ii. refer the Child/Young Person to an appropriate support agency;

iii. contact the Child/Young Person's parent or carer;

iv. seek advice from a Relevant Organisation.

2. Use of language and tone of voice

(a) Language and tone of voice used in the presence of Children/Young People must:

i. provide clear direction, boost their confidence, encourage, or affirm them.

ii. not be harmful to Children/Young People.

(b) Relevant Persons must not use language towards or in the presence of Children/Young People that is:

i. discriminatory, racist, or sexist;

ii. derogatory, belittling, or negative, for example, by calling a Child/Young Person a 'loser' or telling them they are 'too fat';

iii. unreasonably or unnecessarily threatening or frightening; or

iv. profane or sexual.

3. Positive guidance (discipline)

(a) Children participating in our sport must be made aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants.

(b) Relevant Persons and Relevant Organisations must use appropriate techniques and behaviour management strategies to ensure:

i. an effective and positive environment; and

ii. the safety and wellbeing of Children/Young People and personnel participating in Motorcycle sport.

(c) Relevant Persons and Relevant Organisations must use strategies that are fair, respectful, and appropriate to the developmental stage of the Children/Young People involved.

(d) Children/Young People must be provided with clear directions and given an opportunity to redirect their behaviour in a positive manner.

(e) Relevant Persons or Relevant Organisations must not, under any circumstances, take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

4. Supervision

(a) Relevant Organisations must ensure that Children/Young People participating in our sport programs and services are adequately supervised.

(b) Supervision must be constant, active, and diligent, prioritising the safety and wellbeing of Children/Young People, and where possible a Relevant Person must be able to observe each Child/Young Person.

(c) Where direct supervision is not possible, a Relevant Person must know the location of each Child/Young Person and ensure that they can respond to individual needs and immediately intervene if necessary.

(d) Any incident of one-to-one unsupervised contact must be immediately reported to the Relevant Organisations management within 24 hours of the incident occurring.

5. Use of electronic or online communications

(a) A Person in a Position of Authority unless they are also an Approved Person (in respect to the relevant Child/Young Person), Medical Practitioner or Health Professional, must not communicate directly (one to one) with a Child/Young Person either electronically or online (including phone calls) without the inclusion of a representative from the Relevant Organisation and/or the Child/Young Person's parent or carer. Communication by Medical Practitioners and Health Professionals must only relate to appropriate and required medical care in this context.

(b) When communicating with Children/Young People, a Person in a Position of Authority must ensure content is:

i. directly associated with delivering our services, such as advising that a scheduled event is cancelled;

ii. concise with personal or social content limited only to convey the message in a polite and friendly manner;

iii. devoid of any sexualised language; and

iv. not promoting unauthorised social activity or contact.

6. Photographs or video of Children/Young People

(a) An Approved Person may photograph or film their Child/Young Person when participating in our sport.

(b) When arranging official photography/videography of Children/Young People involved in our sport, Relevant Organisations must:

i. obtain prior written consent from the Child/Young Person's parent or carer. Where appropriate and possible, consent should also be sought from the Child/Young Person. Written approval could include electronic messaging formats such as email or SMS;

ii. give due consideration to Children/Young People who are protected by a court order;

iii. appoint a photographer/videographer who holds a current WWCC;

iv. ensure the photographer/videographer is supervised at all times;

v. ensure the context is directly related to participation in our sport;

vi. ensure the Child/Young Person is appropriately dressed and posed; and

vii. not distribute images or videos (including as an attachment to an email) to anyone outside the Relevant Organisation without parent/carer knowledge and approval.

(c) Relevant Organisations must store images (digital or hard copy) in a manner that prevents unauthorised access by others and must be destroyed or deleted as soon as they are no longer required.

(d) Relevant Organisations must not publish images or footage of a Child/Young Person or identify the Child/Young Person pictured, whether online or in print, without written consent from the Child/Young Person's parent or carer. Where appropriate and possible, consent should also be sought from the Child/Young Person.

(e) Relevant Organisations must ensure any Employee, Volunteer or Contractor (such as an event photographer) comply with the above requirements whilst working at an Activity.

7. Physical contact with Children/Young People

(a) Any physical contact with Children/Young People must be necessary and appropriate to the delivery of our sport programs or services and based on the needs of the Child/Young Person (including adjustments based on any additional needs due to impairment or disability) such as assisting with the use of equipment technique assistance or correction, treatment by a health practitioner or administering first aid.

(b) Relevant Persons must not have contact with Children/Young People participating in our programs and services that:

i. involves touching of genitals, buttocks[6], or the breast area other than as part of delivering necessary medical or allied health services to those specific areas of the body;

ii. would appear to a reasonable observer to have a sexual connotation;

iii. is intended to cause pain or distress to the Child/Young Person (e.g., corporal punishment);

iv. is overly physical (e.g. tickling or other roughhousing), except where this contact is consistent with the rules of the sport and accepted and reasonable behaviour within the Activity when undertaking that Activity;

v. is unnecessary (e.g., assisting with toileting when a Child/Young Person does not require assistance); or

vi. is initiated against the wishes of the Child/Young Person, except if such contact may be necessary to prevent injury to the Child/Young Person or to others, in which case:

(A) physical restraint must be a last resort;

(B) the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the Child/Young Person to prevent harm to themselves or others; and

(C) the incident must be reported to management as soon as possible.

(c) Relevant Persons must report to the Relevant Organisation any physical contact initiated by a Child/Young Person that is sexualised and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the Child/Young Person, Relevant Persons, and any other participants.

8. Overnight stays and sleeping arrangements

(a) Overnight stays involving Children/Young People must be approved and managed by the Relevant Organisation.

(b) Written parent/carer consent must be obtained prior to the overnight stay. Written approval could include electronic messaging formats such as email or SMS. Where appropriate and possible, consent should also be sought from the Child/Young Person.

(c) Practices and behaviour by Relevant Persons involved during an overnight stay must be consistent with the practices and behaviour expected during delivery of our sport at all other times.

(d) Standards of conduct that must be observed by Relevant Organisations and Relevant Persons involved during an overnight stay include:

i. Children/Young People must be provided with privacy when bathing, toileting, and dressing;

ii. appropriate dress standards must be observed when Children/Young People are present – such as no exposure to nudity;

iii. Children/Young People must not be exposed to pornographic material, for example, through movies, television, the internet, or magazines;

iv. Children/Young People must not be left under the supervision of unauthorised persons such as accommodation staff, or peers;

v. sleeping arrangements must not compromise the safety of Children/Young People, including:

(A) an Adult must not sleep alone in the same room as Children/Young People unless they are the parent or have parental responsibility for those Children/Young People; and

(B) Children/Young People must not share a bed with an Adult or another Child/Young Person.

vi. Children/Young People must have the right to contact their parents, or an Approved Person, if they feel unsafe, uncomfortable, or distressed during the stay.

vii. Parents/carers must be permitted to contact their Child/Young Person if required.

9. Change room arrangements

(a) Children/Young People must be supervised in any change room that is in official use by a Relevant Organisation, whilst ensuring their right to privacy.

(b) A Person in a Position of Authority must not**:**

i. shower or change at the same time as supervising groups of Children/Young People;

ii. be alone with a Child/Young Person in a change room; or

(c) Relevant Persons must not use any camera or other recording device in a change room.

(d) Persons in a Position of Authority must ensure adequate supervision in public change rooms when they are used, providing the level of supervision required for preventing abuse by members of the public, Adult users, or general misbehaviour, while also respecting a Child/Young Person's privacy**.**

10. Use, possession or supply of alcohol or drugs to Children/Young People

Persons in a Position of Authority must not:

(a) use, possess or be under the influence of an illicit drug in the presence of a Child/Young Person or Children/Young People;

(b) use or be under the influence of alcohol while supervising a Child/Young Person or Children/Young People during an Activity;

(c) be impaired by any other legal drug such as prescription or over-the-counter drugs while in the presence of a Child/Young Person or Children/Young People;

(d) supply alcohol or drugs (including tobacco) to any Child/Young Person or Children/Young People; or

(e) supply or administer medicines, except when permitted by law or with the consent of the Child/Young Person's parent or carer and under a valid prescription for that Child/Young Person and at the prescribed dosage.

11. Parent/Carer involvement

Relevant Organisations must:

a) ensure that a parent/carer is involved in any significant decision, including the signing of any documentation in relation to their Child's involvement in Motorcycle sport;

b) not prevent parents/carers from accessing their Child/Young Person when required; and

c) make parents/carers aware of the standard of behaviour required when watching their Child/Young Person during an Activity. Parents/carers displaying inappropriate conduct may be asked to leave, however may not be denied access for an undetermined amount of time.

12. Transporting Children/Young People

a) Children/Young People must only be transported in circumstances that are directly related to the delivery of our sport programs and services.

b) Other than in an emergency, a Person in a Position of Authority, unless they are an Approved Person, must not transport Children/Young People without prior written approval from their parent or carer.

c) When transporting Children/Young People, the Person in a Position of Authority must drive responsibly, not be impaired by alcohol or any other mind-altering substances, have an unrestricted drivers' licence and to the extent practicable, not be alone in the car with a Child/Young Person.

d) Children/Young People must only be transported in a roadworthy vehicle when the manufacturer stated capacity is adhered to and seatbelts and child restraints are fitted as required.

13. Drop off and pick up of Children/Young People

Relevant Organisations must:

a) have an accessible register of parent and carer emergency contact numbers and an operational phone; and

b) ensure that if a parent or carer is late, they make reasonable attempts to contact them. It is not the responsibility of a Person in a Position of Authority to transport Children/Young People home if their parent or carer is late for pick up.

Annexure C: Best Practice Guidance

MA is committed to safeguarding everyone involved in our organisation including Children/Young People who participate in our sporting activities, ensuring that they feel safe and are safe. This Best Practice Guidance identifies steps that Relevant Organisations and Relevant Persons should be taking to create a safe and positive environment for Children/Young People in Motorcycle sport.

This Annexure C and its appendices are provided as guidance only. Failure to comply with a requirement set out in Annexure C or one of its Appendices will not be considered Prohibited Conduct for the purposes of the Complaints, Disputes and Discipline Policy, however, aspects of the Best Practice Guidance may be a mandatory requirement under relevant state or territory legislation.

It is the responsibility of all Relevant Organisations and Relevant Persons to ensure that they are aware of and comply with any obligations they may be subject to under state or territory legislation.

Relevant Organisations should:

1. adopt and implement a Child/Young Person Safe Commitment Statement (an example is provided at Appendix 1 to this Annexure C);
2. adopt and implement appropriate recruitment, screening and training requirements for all employees and volunteers who will be working in Child-related positions (see example at Appendix 2 to this Annexure C);
3. establish a Culturally safe environment in which the diverse and unique identities and experiences of Aboriginal and or Torres Strait Islander Children/Young People are respected and valued;
4. ensure that Children/Young People are empowered about their rights, participate in decisions affecting them and are taken seriously, including by:
    (a) providing Children/Young People with information about their participation in Motorcycle sport and information about their rights and responsibilities;
    (b) seeking informed consent from Children/Young People prior to participation in Activities; and
    (c) Respecting and understanding the diverse and potentially complex needs of Children/Young People with increased vulnerabilities.

Appendix 1: Child/Young Person Safe Commitment Statement Example

MA is committed to ensuring the safety and wellbeing of all Children/Young People that are involved in our sport. Our policies and procedures seek to address risks to Child safety and to establish Child safe culture and practices.

1. **We will keep Children/Young People safe**
    (a) Through our Safeguarding Children and Young People Policy, we document our clear commitment to keeping Children/Young People safe from harm, risk of harm, abuse and neglect.
    (b) We communicate our commitment to all our staff and volunteers and give them access to a copy of our commitment statement.

2. **We promote inclusion, respect and diversity**
    (a) We consider the needs of all Children/Young People. We use inclusive program design to support them to participate safely in our sport, particularly Children/Young People with increased vulnerabilities, such as:
        i. Aboriginal and/or Torres Strait Islander Children/Young People;
        ii. Children/Young People from culturally and linguistically diverse backgrounds;
        iii. Children/Young People with disability;
        iv. Children/Young People living in out of home care,
        v. Children/Young People with diverse genders and/or sexualities.
    (b) We recognise the rights of lesbian, gay, bisexual, transgender and intersex Children/Young People to be recognised for their gender identity, sexual orientation or intersex status, and to feel safe and respected when participating in our sport.

3. **We create a culturally safe sporting environment**
    (a) We uphold the rights of Aboriginal and Torres Strait Islander Children/Young People to:
        i. identify as Aboriginal and/or Torres Strait Islander with pride and without fear of retribution or questioning;
        ii. to express their Culture as they deem appropriate;
        iii. receive an education that strengthens their Culture and identity;
        iv. maintain connection to their land and Country;
        v. maintain their strong kinship ties and social obligations;
        vi. be taught their cultural heritage by their Elders and community;
        vii. receive information in a culturally sensitive, relevant and accessible manner; and
        viii. be involved in services that are culturally respectful.
    (b) We will take action to grow inclusiveness for all cultural identities and to establish equitable, respectful and empowering engagement with culturally and linguistically diverse communities.

4. **Our staff and volunteers know the behaviour we expect**
    (a) We ensure that each person involved in our delivery of services to Children/Young People understands their role and the behaviour we expect in relation to keeping Children/Young People safe from abuse and neglect through application of our Child/Young Person Safe Practices.
    (b) We utilise clear position descriptions which clearly state relevant Child/Young Person safe requirements.
    (c) We have Child/Young Person Safe Practices, which are approved and endorsed by the MA Board and outlines our expectations for behaviour towards Children/Young People.
    (d) Our staff and volunteers are given a copy of and have access to the Child/Young Person Safe Practices.
    (e) Our staff and volunteers indicate, in writing, that they have read and are committed to the Child/Young Person Safe Practices.

5. **We minimise the likelihood of appointing or accrediting a person who is unsuitable**
    (a) We have appropriate measures in place to minimise the likelihood that we will recruit staff or volunteers who are unsuitable to work/volunteer with Children/Young People.

(b) We will meet the requirements of the relevant state or territory Working with Children Check regulations.

6. **Induction and training are part of our commitment**

(a) We will provide all new staff, volunteers, and participants with information about our commitment to Child/Young Person Safety including our Safeguarding Children and Young People Policy, Child/Young Person Safe Practices and Responding to Child Abuse Allegations.

(b) We support ongoing education and training for our staff and volunteers to ensure Child/Young Person safety information is provided and updated as required.

(c) We ensure that our staff and volunteers have up-to-date information relevant to specific legislation applying in the state or territory they are based in or where they may travel to as a part of their duties.

7. **We encourage the involvement of Children/Young People and their parents**

(a) We involve and communicate with Children/Young People and their families in developing a safe, inclusive, and supportive environment. We will provide information to Children/Young People and their parents/carers (such as brochures, posters, handbooks, guidelines) about:

i. our commitment to keeping Children/Young People safe and communicating their rights;

ii. the behaviour we expect of our staff and volunteers and of themselves;

iii. our policy about responding to Child Abuse.

(b) We have processes for two-way communication with Children/Young People and families.

(c) We seek feedback from Children/Young People and have a process for responding.

(d) We empower Children and Young People.

(e) We respect diversity and seek to facilitate effective communication with, and empowerment and involvement of Children/Young People.

8. **Our staff and volunteers understand their responsibility for reporting Child Abuse**

(a) Our policy for responding to Child Abuse is approved and endorsed by MA Board and applies to all our staff and volunteers. Staff and volunteers must:

i. immediately report abuse or neglect and any concerns with policies, practices or the behaviour of staff and volunteers;

ii. meet any legislated mandatory or other jurisdictional reporting requirements;

iii. follow a specified process when reporting abuse or neglect.

(b) Our staff and volunteers are given a copy of and have access to the Complaints, Disputes and Discipline Policy and understand the implications of the policy for their role.

(c) We document any allegation, disclosure or concern regarding Child Abuse and take action and monitor responses to all allegations, disclosures, or concerns.

9. **We maintain and improve our policies and practices**

(a) We are committed to maintaining and improving our policies, procedures, and practices to keep Children/Young People safe from neglect and abuse.

(b) We have assigned responsibility for regularly maintaining and improving our policies and procedures to (insert name or person or group).

(c) We monitor our staff, volunteers, and external providers and take action to ensure appropriate practice, behaviour and policies are followed.

(d) We require our staff and volunteers to disclose guilty findings or charges affecting their suitability to work with Children/Young People. We review police record and WWCC checks regularly.

(e) We have formally reviewed our service delivery to identify and document potential risks to Children/Young People.

(f) We undertake formal reviews, at least annually, to identify and document potential risks to Children/Young People associated with our service delivery.

Appendix 2: Recruitment, Screening and Training Recommendations

These recruitment, screening and training requirements have been developed to provide a fair, safe, consistent, and comprehensive process to engage personnel across our sport. Our sport takes Child/Young Person protection seriously and ensures that the organisation recruits' personnel (employees and volunteers), that are suitably qualified and committed to providing professional, safe, and enjoyable programs and services to Children/Young People.

1. Child-Related Positions

(a) All roles within our sport (employees and volunteers) both new and existing should be assessed using Appendix 3: Assessment.

(b) A Child-related position means a position that involves or may involve contact with Children/Young People, either under the position description or due to the nature of the role.

(c) Positions assessed as 'Child-related' should be appointed using the recruitment and screening process outlined in this Appendix 2.

2. Position Descriptions

(a) Developing appropriate selection criteria for a position is a valuable first step to reducing the risk of appointing someone who poses a Child/Young Person safety risk.

(b) Examples of appropriate selection criteria may include: 'Must have experience working with Children/Young People.' 'Must be able to demonstrate an understanding of appropriate behaviours when engaging with Children/Young People.'

3. Advertising

(a) All positions identified as Child-related should include the following statement in the position description and any advertising: *{Sport Organisation} is committed to protecting Children/Young People from harm. We require all applicants that will work with Children/Young People to undergo an extensive screening process prior to appointment.*

4. Interviews

(a) Relevant Organisations should conduct an interview when appointing a person to a Child-related position, preferably in-person or on a videoconference (e.g., Zoom etc.).

(b) During the interview, questions regarding the applicant's suitability to work with Children/Young People should be included. Refer to Appendix 4: Interview Recommendations and Sample Questions.

5. Working with Children Checks

(a) Working with Children Check (WWCC) laws aim to help prevent people who pose a known unacceptable risk from working with Children/Young People as paid employees or volunteers. WWCC laws are currently in place in all Australian states and territories.

(b) These laws require certain individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with Children/Young People. Whether a particular individual is required to undertake a check depends on the WWCC laws of the relevant state or territory.

(c) Relevant Organisations must meet the requirements of the relevant state or territory WWCC laws. Specific state and territory requirements can be found here.

(d) All personnel that require a WWCC will supply a copy of it to, and/or authorise the Relevant Organisation making the appointment to verify the currency of the WWCC.

(e) Relevant Organisations must not engage a person who does not have a satisfactory WWCC in the relevant jurisdiction(s).

(f) Regardless of whether an individual is required or otherwise eligible to obtain a WWCC in the relevant jurisdiction(s), it would be a breach of the Safeguarding Children and Young People Policy if an individual:

i. who has guilty findings that would make them ineligible to be granted a WWCC is appointed to a Child-related position in our sport; or

ii. continues in a Child-related position if they have been charged or convicted of a crime that would make them ineligible to be granted a WWCC.

(g) Relevant Persons are required to report a Relevant Organisation any criminal guilty findings or charge that indicates that they may present a potential risk to the Children/Young People to whom they help deliver programs or services, such as illegal drug possession or use, gun crimes and assault including Adult sexual assault.

6. National Criminal History Record Checks

(a) Depending on the relevant jurisdictional legislation a Relevant Organisation may require the preferred candidates to have completed a 'national criminal history record check' (also known as a 'police check') where the candidate does not otherwise meet the jurisdictional threshold to apply for and obtain a WWCC.

(b) A criminal history does not automatically preclude an applicant from being appointed unless their criminal history suggests that they may pose a risk to Children/Young People. If there is information relevant to the employment decision, the applicant will be provided with an opportunity to respond to the contents of their police check (if they wish to do so).

(c) The decision to appoint or not appoint an applicant because of a police check result, along with the rationale for that decision, must be communicated to the applicant by the Relevant Organisation.

(d) A copy of the police check must not be retained. The original must either be returned to the applicant if requested or be destroyed in a secure manner on completion of the recruitment process. If the applicant is appointed, a record of the date and certificate number of the police check should be recorded in their personnel file.

7. International Criminal History Record Checks

(a) Any applicant who has resided overseas for 12 months or more in the last ten years should obtain an international criminal check.

(b) Some countries will not release information regarding an individual for personal or third-party purposes. Where police records checks cannot be made, reference checks should be conducted with at least two referees that personally knew the individual whilst they were residing in the other country.

(c) The Relevant Organisation should inform the applicant that referees will be asked whether they have knowledge or information concerning the applicant that would adversely affect the applicant from performing the job, including any relevant criminal offences. The credentials of persons acting as referees should be verified and can include previous employers.

(d) Overseas applicants should not commence until this process is satisfactorily completed.

8. Monitoring compliance

Relevant Organisations will ensure that all personnel in Child-related positions have a current WWCC and or relevant probity checks, as specified in state and territory legislation, a summary of which can be found here.

9. Reference checks

(a) The Relevant Organisation should conduct a minimum of two reference checks for the preferred applicant to gather additional information about the applicant's suitability to work in the role for which they have applied.

(b) The selected referees should:

i. be able to provide information relating to the applicant's suitability to work with Children/Young People;

ii. have known the applicant for at least 12 months;

iii. not be related to the applicant;

iv. be able to vouch for the applicant's reputation and character.

Please note: Written character references are not sufficient unless also followed up and verified through direct contact.

(c) Referees should be asked directly about any concerns they may have about the applicant working with Children/Young People. Appendix 5: Reference Check Recommendations and Sample Questions.

10. Qualification and registration checks

Educational or vocational qualifications, or professional registration should be verified for the preferred applicant for the position, if applicable.

11. Engagement of Children/Young People

(a) If a person under the age of 18 is appointed to a Child-related position, the Relevant Organisation should:

i. comply with the relevant WWCC legislation;

ii. undertake appropriate screening (interviews and referee checks);

iii. ensure that they are aware that they are bound by the Safeguarding Children and Young People Policy, Child/Young Person Safe Practices and the obligations associated with WWCC; and

iv. obtain information about any pre-existing relationships, especially where the Child/Young Person-applicant interacts personally with another Child/Young Person participant.

12. Training

(a) Persons appointed to a Child-related position should complete the Sport Integrity Australia Child Safeguarding in Sport Induction online course within 12 months of their appointment. Sport Integrity Australia eLearning

(b) Relevant Organisations should ensure that all involved in Motorcycle sport have access to information regarding their Child/Young Person safe obligations - Safeguarding | Sport Integrity Australia

(c) Relevant Organisations are encouraged to develop a training regime that meets their operational needs. Persons appointed to Child-related positions should have more frequent and specific training than Relevant Persons who do not have any contact with Children/Young People.

Appendix 3: Child-Related Position Assessment Recommendations

Note: State and territory jurisdictions have different requirements regarding screening and WWCC. This Child-related position assessment aims to assist Relevant Organisations identify Child-related positions however, **it should not be used to determine if a Relevant Person requires a WWCC.**

Specific state and territory requirements can be found here.

Question – Does the position/activity (paid/unpaid or volunteer):	Yes	No
Involve supervising Children/Young People?		
Involve being alone with Children/Young People or engaging with Children/Young People in a way that is not observed or monitored?		
Involve activities with Children/Young People away from the organisation's usual location?		
Involve direct one-on-one or group contact with Children/Young People via phone, letter, email, online or social media?		
Involve supervising Child/Young Person-to-Child/Young Person online contact?		
Have access (online or paper based) to a Child/Young Person's personal and/or confidential information?		
Involve the need for physical contact/touching Children/Young People?		
Involve any of the following: transporting Children/Young People; over-night supervision; and/or out-of-town activities?		
Have a perceived or actual level of authority (including from a Child/Young Person's perspective)?		
Involve any other type of contact with Children/Young People?		

If you answered YES to one or more of the above questions, the position **is a Child-related position**.

The Relevant Organisation is required to undertake the recruitment and screening process as outlined in Appendix 2, including conducting interviews and reference checks.

Relevant Organisations must also meet the requirements of the relevant state or territory WWCC laws.

Appendix 4: Interview Recommendations and Sample Questions

- The interview process is a very important step in selecting the right people for your organisation and in identifying any people that may pose a risk of harm to Children/Young People.
- An open-ended style of behavioural-based questioning will give insights into the applicant's values, attitudes and understanding of professional boundaries and accountability.
- All applicants should be informed during the interview that referees will be contacted as part of any final selection process.

Questions that should be asked

- Would you please tell us about your beliefs and values in relation to working with Children/Young People?
- Would you please tell us about your awareness and understanding of Child protection?
- Would you please tell us about your professional experience, competencies, and qualifications in relation to working with Children/Young People?
- What boundaries are important when working with Children/Young People?
- Have you ever had any disciplinary action taken against you in relation to you working with Children/Young People?

Additional Questions (for positions that work predominately with Children/Young People) that MAY be asked

- What do you find most rewarding about working with Children/Young People?
- What do you find most challenging about working with Children/Young People?
- How would you handle a Child/Young Person that is behaving in a manner that is disruptive in a group setting?
- How do you think your peers, supervisors and referees would describe the way you work with Children/Young People?
- Are there any Children/Young People whom you would not wish to work with and, if so, why?
- How would you deal with a Child/Young Person who is acting aggressively?
- Have you ever lost your temper working with Children/Young People? What was the trigger for this? What was the outcome?
- How would you respond to a Child/Young Person who disclosed they were being subjected to abuse?
- A parent of a Child/Young Person attending your service wants someone from the organisation to care for their Child/Young Person out of hours. What would be your response to this request?
- What would you do if you thought another staff member or volunteer had harmed or was harming a Child/Young Person?
- What would you do if you thought a Child/Young Person was being abused at home?
- Can you tell us about Children/Young People you have found challenging to work with? What strategies do you use to handle challenging behaviour?
- How would you handle a Child/Young Person that appears sad and refuses to participate in activities?

Take notice of your own thoughts and feelings when interacting with the applicant. Ask for more information if the applicant does not provide sufficient information in their responses.

Red Flags include, but are not limited to:

- unexplained lengthy gaps in employment history;
- strange or inappropriate questions / statements about Children/Young People;
- expresses an interest in spending time alone with Children/Young People or in working with Children/Young People of a particular age or gender;
- excessive interest in Child/Young Person photography;
- being evasive or inconsistent in responding to questions.

Appendix 5: Reference Check Recommendations and Sample Questions

- The purpose of seeking references is to obtain objective and factual information to support appointment decisions.
- Ask the same questions of each referee.
- When contacting the referee, identify yourself and your position, give the name of the candidate and the reason for your call.
- Before asking questions, describe the job and the competencies that you are seeking.

Questions that should be asked

- Are you related to the applicant? (Please note, if the person answers yes, you cannot proceed with this referee check and another referee needs to be obtained from the applicant).
- In what capacity have you known the applicant and for what length of time? (Please note, if less than 12 months another referee should be obtained from the applicant)
- How would you describe the personal character of the applicant?
- Would you have any concerns about this applicant working with or being in contact with Children/Young People?
- How does the person respond to supervision/oversight?
- In your time working with the applicant, was there anything that led you to believe that this applicant is not suitable to work with or be in contact with Children/Young People?
- To your knowledge, has this person ever been involved with the abuse or neglect of Children/Young People?

The panel should consider the validity of the referees by reflecting on the following questions:

- What is the relationship between the referee and the applicant?
- Has the referee known the applicant in a professional capacity and if so when and for how long?
- Is the referee able to provide relevant information about the applicant's work history and performance?
- Has the referee observed the applicant demonstrating the skills and knowledge required for the position?

Red Flags include, but are not limited to:

- A reluctant referee
- A referee who does not know (or appear to know) the applicant well
- Information that the referee will not provide
- Information that differs from the applicant's account
- Evasive or convoluted responses
- Referees that would not re-hire the applicant
- Referees that cannot be contacted
- Referees that were not informed they would be used.