

# ABSL Child Protection Policy

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ABSL is committed to the safety and wellbeing of children and young people who participate in all our Association activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

ABSL acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

This Policy has been developed from resources sourced from Sport New Zealand, the New Zealand Government, and BBNZ.

Additional information and resources are available from:

- Sport New Zealand: [www.sportnz.org.nz](http://www.sportnz.org.nz) – (Safe Sport for Children)
- New Zealand Government: [www.childrensactionplan.govt.nz](http://www.childrensactionplan.govt.nz)
- Stop Services Child Protection

## Scope

This policy covers all employees and volunteers carrying out activities on behalf of the three Associations – Basketball Auckland, Counties Manukau Basketball and Waitakere West Auckland Basket, and ABSL.

## Objective

The aim of this policy is to ensure that all our basketball activities:

- promote the health and welfare of young people by providing safe basketball-opportunities;
- respect and promote the rights, wishes and feelings of young people;
- promote and implement appropriate procedures to safeguard the well-being of young people and protect them from harm;
- commit to recruiting, training, supporting and supervising staff (and participants where applicable) to adopt good practice to safeguard and protect young people from harm, and to reduce the risk of allegations or complaints against themselves;
- educate young people, staff and participants to adopt and abide by this Policy;
- promote the collective responsibility within our sport for ensuring safe sport for young people;
- commit to responding to allegations of misconduct or harm to young people in line with this Policy and these procedures, as well as implementing, where appropriate, the relevant investigative, disciplinary and appeals procedures;
- regularly monitor and evaluate the implementation of this Policy and these procedures.

## Detail

### Identifying and Analysing Risks of Harm

ABSL will develop and implement a risk management strategy, which includes a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person

### Developing Codes of Conduct for Adults and Children

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when they deal and interact with children, particularly those in our care. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour.

### Choosing Suitable Employees and Volunteers

ABSL will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

ABSL will ensure that Working with Children Checks and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, ABSL will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

### Support, Train, Supervise and Enhance Performance

ABSL will ensure that all our employees and volunteers who work with children have ongoing supervision; support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in all our basketball activities. Efforts will be made to include volunteers in programme planning and training where deemed possible and appropriate.

### Recruitment and Training Processes for Staff

Part of a ABSL's duty of care requires us to ensure that only suitable staff and volunteers are working with young people. This means developing a simple but robust recruitment process that involves some form of screening, including police vetting.

#### Recruitment Process:

##### Creating role descriptions

Simple role descriptions make it easier to find the right type of staff (including volunteers). The role description should outline the purpose of the role, what is involved, and the desired skills and experience. This also helps recruitment by providing a clear role scope and dispelling any insecurities volunteers might have about not having the skills, or concerns they'll end up over-committed.

##### Interviewing candidates

Short interviews help communicate clear expectations about the role and the type of person the appropriate candidate is likely to be. It is a chance to share information, ask and answer questions, and emphasise the organisation's Child Protection Policy.

##### Follow up with the candidate's referees

Candidates should provide contact details of at least one referee who can be contacted to discuss their suitability for the role. This is particularly important for roles that potentially carry a higher risk.

## Screening applicants – Police Vetting

Police vetting is part of the screening process, but this should not constitute a participating organisation's complete response to keeping young people safe. Police vetting will provide an organisation with a judgment by Police about a person's suitability to work with young people based on the information it holds – this should be considered a 'red flag' rather than detailed information.

## Roles and Responsibilities

ABSL shall appoint a **Young Persons Protection Officer** (or another suitable role with responsibility for young person protection issues). This person is our champion for young person protection and can lead the implementation of your organisation's Protection of Young People Policy. They will also act as a positive role-model for the creation of a safe environment for young people and the adults that work with them.

Their main responsibilities would include:

- ensuring that young person protection procedures are understood and adhered to by all participants;
- organising promotional activities and training, and raising awareness within the organisation;
- establishing and maintaining the complaints procedure;
- reporting to the Board and Chief Executive;
- acting as the main contact and support for young person protection matters;
- keeping up-to-date with developments in young person protection legislation;
- liaising with local young person-protection agencies as required;
- maintaining confidential records of reported cases and any action taken;
- regularly monitoring and reviewing existing policies and procedures.

## Code of Conduct

Various **Code of Conduct** will be developed to provide guidance on acceptable and unacceptable behaviour by all participants.

The appendix to this policy includes a Code of Conduct for:

- Parents
- Players
- Coaches
- Officials

## Education and Training of Staff

In addition to the pre-selection checks, the young person protection process should include subsequent monitoring and training of staff in order to:

- ensure that staff is working safely and effectively with young people;
- identify and respond to any unacceptable behaviour or practices of staff;
- enable staff to analyse their own behaviour and practices, and compare them against the Code of Conduct and Good Practice Guidelines – this helps minimise the risk of allegations or complaints against that person;
- respond in a positive way to concerns raised about staff i.e. via training to improve practices.

This Policy is designed to support the education and training of staff. New staff will be given a copy of the Child Protection Policy and be able to demonstrate an understanding of the Code of Conduct and Good Practice Guidelines

The Young Persons Protection Officer will take new staff through this policy and has them sign a copy of the Code of Conduct.

## Good Practice Guidelines for Working with Young People

The following protocols provide guidance to those working with young 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 young person, as well as minimising the risk of an allegation or complaint being made.

### Apply a Young Person-Centred Approach Where all Young People are treated equally and with Dignity

- Activities should be appropriate for the age and development of the young people in your care.
- Ensure feedback to young people is about their performance and not of a personal nature.
- Use positive and age-appropriate language when talking to young people, and in their presence.

### Create a Safe and Open Environment that also Reduces Risk to Staff

- Exercise common sense.
- Foster a culture of openness and support.
- Ensure that systems are in place for concerns to be raised.
- Ensure that there are effective recording systems which confirm discussions, decisions and the outcomes of action taken.
- Ensure that you do not place yourself into a situation which renders you vulnerable.
- Ensure that you are aware of expectations, policies and procedures.
- Do not send young people off to train alone and out of sight or supervision.
- Ensure that young people use appropriate protective gear.
- Ensure that all physical contact with young people is relevant and appropriate to the activity.
- Seek permission to touch when doing the above.
- Do not engage in any intimate, over-familiar or sexual relationships with young people.
- Ensure that you have parental consent to administer first aid if required.
- Ensure that any filming or photography of young people is appropriate.
- Explain the purpose and obtain consent from parents or caregivers prior to filming or photographing young people.
- Request parental consent before transporting young people in a vehicle. Ensure that the vehicle is insured and has a current Warrant of Fitness and registration.
- Do not drink alcohol in the presence of young people and do not offer alcohol to young people under any circumstances.
- Do not allow parents, coaches, other young people, or spectators to engage in any type of bullying behaviour (this includes cyber/text bullying).
- Do not bully or place unnecessary pressure on young people.

### Health and Safety

As stated above, this Policy is designed to supplement ABSL's Health and Safety Guidelines. The environment ABSL operates in can hold many elements of risk to manage. The health and safety of individuals in the ABSL environment is the responsibility of all participants. We will ensure that our Associations and their participants will take all reasonable steps to ensure safe people, safe systems and safe operations are in place. Individuals have the responsibility to keep themselves and others safe at all times. All participants must be made aware of all health and safety responsibilities, especially those in roles that have the responsibility for others.

Some areas of particular importance for H & S are:

- Sports events.
- Training sessions and courses.
- Travelling to and from events.
- Use of Vehicles.
- Manual Handling.
- Storage of equipment, food, fuel and chemicals.
- Building related hazards including stairs, decks, wet areas, kitchens.

- Working around the club (working bees, maintenance, contractors, chemicals).
- Environmental conditions (exposure to sun, heat, cold...).
- Unsupervised and social activities.

### One-to-One Situations

One-on-one situations have the potential to make a young person more vulnerable to harm by those who seek to exploit their position of trust. Coaches and volunteers working in one-on-one settings with a young person may also be more vulnerable to unjust or unfounded allegations made against them.

Both possibilities should be recognised so that when one-on-one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of young people and the adults who work with them.

There are occasions where staff will need to undertake a risk assessment in relation to the specific nature and implications of one-on-one work. These assessments should take into account the individual needs of the young person and the individual worker, and any arrangements should be regularly reviewed.

In light of the above, it is recommended that wherever possible, all staff should:

- Ensure that when working alone is an integral part of their role, a full and appropriate risk assessment has been conducted and agreed;
- Avoid private or unobserved situations, including being alone with a young person in the changing rooms. Have another adult present or at least another player;
- 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 young person unaccompanied. If this is unavoidable, have them sit in the back seat;
- Do not invite or encourage young people to your home;
- Always have another adult present when staying overnight anywhere with young people;
- Do not share a room with a young person that is not your son or daughter;
- Travelling creates higher-risk environments. Take extra care to ensure players and volunteers are not exposed to undue risk;
- Always report any situation where a young person becomes distressed or angry towards a senior colleague.

### Communications with Young People and the Use of Technology

All staff must adhere to ABSL's Code of Conduct (refer to BBNZ Regulations Book 6, Appendix A). All staff must maintain appropriate professional boundaries in their communications with young people at all times to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.

All staff must:

- Ensure all communication with young people takes place within the boundaries of a professional relationship;
- Not engage in communication with a young person, on a one-on-one basis, through social media, texting or email, other than for relevant coach/athlete feedback or administration;
- Ensure any electronic communication with a young person remains professional and brief. Electronic communication includes, but is not limited to, social media forms such as Facebook, Twitter, Instagram, Tumblr, Snapchat etc;
- Take care that their language or conduct does not give rise to comment or speculation;
- Consider the appropriateness of the social contact according to their role and nature of their work;
- Report and record any situation, which may place a young person at risk or which may compromise the organisation or their own professional standing.

## Overnight Camps and Other Travel

All staff should take particular care when supervising young people on camps. Coaches and volunteers remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries as outlined in the Code of Conduct.

Careful consideration needs to be given to sleeping arrangements. Participating staff, young people and parents should be informed of these prior to the start of the camp. In all circumstances, those organising camps must pay careful attention to ensuring safe staff/ young people ratios and to the gender mix of staff especially on overnight stays.

All staff must:

- Undertake risk assessments in line with their organisation's policy where applicable;
- Distribute Camp Code of Behaviour, Medical Declaration and Indemnity forms and ensure that they have been fully completed and returned prior to camp attendance;
- Have parental consent to the activity;
- Ensure that their behaviour remains professional at all times;
- Always have another adult present when staying overnight anywhere with young people;
- Ensure that they do not share a room with a young person, other than their own, unless it involves a dormitory situation and the arrangements have been risk assessed, discussed and consent with management, the young person and the parent/carer have been sought and obtained prior to the camp;
- Ensure that athletes aged 18 and over do not share rooms with young people.

## Transportation of Young People

A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise. Wherever possible, and practicable, it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.

There will be occasions when staff are expected or asked to transport young people as part of their duties. Staff expected to use their own vehicles for transporting young people should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is inappropriate for staff to offer lifts to a young person outside normal duties unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where a young person requires transport in an emergency situation or where not to give a lift may place a young person at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

All staff must:

- Request parental consent before transporting young people in a vehicle;
- Ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned;
- Avoid driving a young person unaccompanied. If this cannot be avoided, the young person must be seated in the rear of the vehicle;
- Be fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive;
- Be aware that the safety and welfare of the young person is their responsibility until they are safely passed over to a parent/carer;
- Ensure that their behaviour is appropriate at all times;
- Ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes ensuring that the vehicle has proper insurance for the type of vehicle being driven and has a current Warrant of Fitness and registration.

## Guidelines on Responding to Suspected Abuse or Neglect and other concerns

This section of the Policy outlines the different forms of abuse, sets out some situations which may indicate that abuse has occurred, and sets out how concerns should be reported.

### Abuse

Abuse is defined as anything which individuals or organisations do, or fail to do, that directly or indirectly harms people or damages their prospects of a safe and healthy development. It is generally acknowledged that there are four main types of abuse - Physical, Sexual, Emotional and Neglect. Abuse generally occurs within a relationship of trust or responsibility and is an abuse of power and/or trust and can include all forms of bullying.

- **Physical Abuse:** Implies hurting or injuring another person e.g. hitting, shaking, squeezing, burning or biting. In sport, this might result if the nature or intensity of training is inappropriate for the capacity of the performer or where drugs are tolerated or advocated.
- **Sexual Abuse:** Where one person is used by another to meet their own sexual needs. It can range from sexually suggestive comments to full intercourse and may include pornographic material.
- **Emotional Abuse:** This occurs when a person is not given love, help or encouragement and is constantly derided or ridiculed e.g. racial or sexual remarks. It can occur if a young person is overprotected. Abuse can occur where a parent or coach has unrealistic expectations over what a young person can achieve.
- **Neglect:** Failing to meet the basic needs of young people, such as warmth, adequate clothing, and medical attention or constantly leaving them alone. It could also mean failing to ensure they are safe or exposing them to harm or injury.
- **Bullying and Harassment:** Bullying in basketball can be an adult - i.e. the parent/caregiver who pushes too hard, the coach who adopts a win-at-all-costs philosophy or adults who attempt to assert unacceptable behaviour on young people to make them feel unwelcome. Bullying can occur between two young people.
- **Cyberbullying:** Given the emergence of social networks, the opportunity for unwanted and improper comments and statements made via electronic messaging or posting has dramatically increased. Cyberbullying occurs when electronic messages or posts of a threatening or intimidating nature are sent to a person or posted on social media sites, with the intent of causing that person harm. Such messages/posts are often repetitive and may include photos or videos of the victim in a compromising or embarrassing situation. Cyberbullying has the potential to cause anxiety and distress to the person who has been the target of any comments or statements

### Indications of Abuse

There are a number of physical and behavioural signs that might raise concern about the welfare or safety of a young person, as detailed below. The examples provided below are only indicators that abuse may have/be occurring - not confirmation of abuse:

Where the young person:

- Says they are being abused, or another person says they believe (or know) abuse is occurring;
- Has an injury for which the explanation seems inconsistent;
- Has behavioural changes, either over time or quite suddenly, becoming aggressive, withdrawn or unhappy;
- Appears not to trust adults, e.g. a parent or coach with whom they would be expected to have, or once had, a close relationship;
- Shows inappropriate sexual awareness for their age and/or behaves in a sexually explicit way;
- Becomes increasingly neglected-looking in appearance, or loses or puts on weight for no apparent reason.

Physically disabled young people and young people with learning difficulties and vulnerable adults are particularly vulnerable to abuse and may have added difficulties in communicating what is happening to them.

### What is Misconduct?

Misconduct occurs when a code of conduct is breached. Serious misconduct occurs when there are serious or repeated breaches of the code of conduct. When dealing with misconduct, there is an escalating scale of options that could be employed. These range from bringing the breach to the attention of the person involved and agreeing ways to avoid this happening again through to formal disciplinary action and ultimately dismissal, or involvement of the Police and/or Oranga Tamariki.

## Process of Addressing Concerns and Complaints

Any person may make a complaint about a person to whom this Child Protection Policy applies if they consider that a person has, or may have, breached any part of this policy.

Any complaint relating to this policy must be forwarded to the CPO.

## Reporting

It is compulsory for all personnel to report any concerns for the safety or wellbeing of a child. The following steps should be followed to make a report:

- **What to report?** Anything you see, hear, observe, suspect or are told that involves a breach of the Policy and Code of Behaviour or makes you concerned for the safety or wellbeing of a child.
- **When should I make a report?** Within 24 hours or as soon as possible.
- **How to make a report?** Verbally, in writing or by email.
- **Who should I report to?** The CPO or your direct Supervisor.
- **What will happen next?** The CPO will follow up on the report. The police or other agencies may be contacted. The person against whom a complaint is made will be contacted if he/she works for our organisation and they may be warned, suspended or terminated.

For all reports made to the CPO:

- Principles of procedural fairness will be observed
- Confidentiality will be maintained except when a report to police or authorities is required
- Anyone making a false allegation will be disciplined
- Will be handled professionally and in a timely manner and reports will be stored securely.

## Responding to suspected harm in the form of physical or sexual abuse

Physical or sexual abuse is at the most serious end of the harm spectrum and will require an immediate response. In responding to suspected child physical or sexual abuse there are a few key principles that should be applied immediately. These are;

- The welfare and interests of the child are the first and paramount considerations.
- Suspected and actual incidences of reported harm should be responded to and recorded accurately and appropriately and as soon as possible.
- Notify relevant local services if you are worried about suspected physical or sexual abuse. If you think the child is at immediate risk, the Police should be notified.

Managing the rights of the alleged offender – People who have allegedly acted improperly also have rights e.g. privacy. They also have a reputation and families of their own and it is important to carefully investigate any complaints and follow a robust and fair process.

## Reactive Measures and Process

This section of the Policy sets out a process for the committee and participants of ABSL to follow if concerns about the welfare of a young person involved in basketball are raised. In particular, it sets out some examples of situations where a participant may have concerns over the welfare of a young person and steps that should be taken.

If there is suspicion on reasonable grounds that abuse is/has taken place:

1. Responding to a child in immediate danger – referral to the Police
2. Responding to a child when the child discloses abuse or when there are concerns about abuse or neglect – Oranga Tamariki – Ministry for Children National Contact Centre to discuss appropriate next steps.



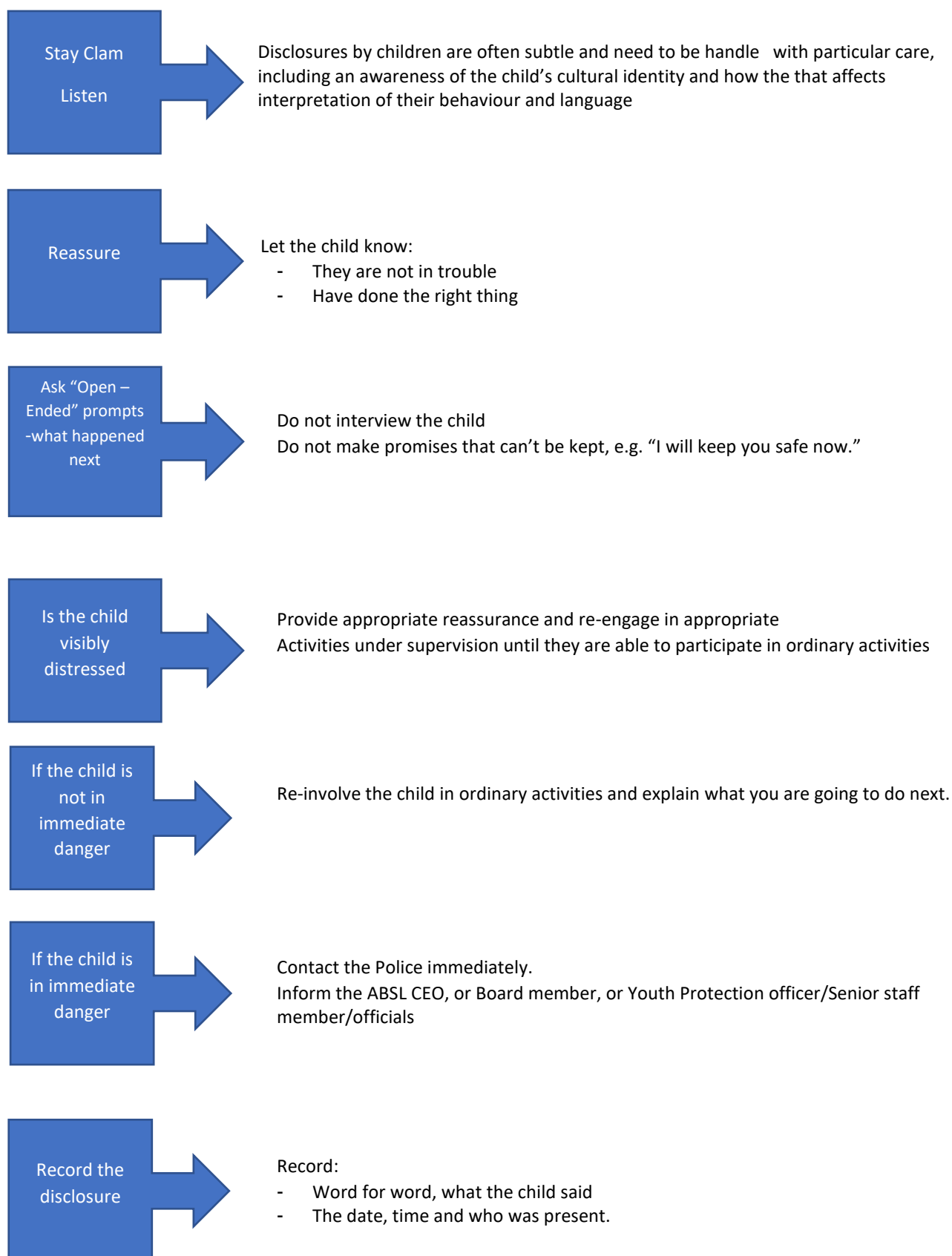
3. Responding to more general concerns about the well-being of a child, where referral to the statutory agencies (Oranga Tamariki/NZ Police) is not appropriate referral may be advised to another support agency within the community.

This may be by one of the following:

- When a young person advises that they have been abused;
- When someone else advises that a young person has been abused;
- A young person advises that they know someone who has been abused (often they are referring to themselves);
- Observation of a young person's behaviour and/or injuries etc, and knowledge of the young person, leads to suspicion of abuse;
- Someone is observed abusing a young person.

Note: Depending on the environment where the disclosure has taken place will conclude whom you report the disclosure to; Training session, Club session, tournament, camp.

## Responding to a Child when the Child Discloses abuse:



## Recording and Notifying Oranga Tamariki – Ministry for Children

What Process to Follow	For Example	Key Considerations
Recording	Formally recorded Anything said by the child The date, time, location and the names of any staff that may be relevant The factual concerns or observations that have led to the suspension of abuse or neglect (e.g. any physical, behavioural or developmental concerns) The actions taken by ABSL Any other information that could be relevant i.e. child's affect	Relevant information can inform any future actions
Decision – making	Discuss any concern with the Team Leader/Supervisor or designated person for child protection.	No decisions should be made in isolation.
Notifying authorities	Notify Oranga Tamariki – Ministry for Children promptly if there is a belief that a child has been, or is likely to be abused or neglected. A phone call to the National Contact Centre is the preferred initial contact for Oranga Tamariki – Ministry for Children as this enables both parties to discuss the nature of the concerns and appropriate response actions. Confidential contact can be made directly with the CEO of BBNZ	Inform Parent/s or Primary caregiver: Inform the relevant adult that you are making a ROC and our reason for doing that. Reiterate our focus is on the safety of the child/children. Consideration given to any scenario where safety concerns mean parents/caregivers will not be informed.  Oranga Tamariki – Ministry for Children will: Make the decision to inform the parents or caregivers if this hasn't been already occurred in consultation with ABSL. Advise what, if any immediate action may be appropriate, including referring the concern to the NZ Police.
Following the advice of Oranga Tamariki – Ministry for Children.	Oranga Tamariki – Ministry for Children advice will include what if, any immediate action may be appropriate, including referral to the concern to the NZ Police.	Oranga Tamariki – Ministry for Children is responsible for looking into the situation to find out what may be happening, whether with the family or to put them in touch with people in their community who can help.
Storing relevant information.	Securely stored: The Record of Concern Completed overview sheet, Report of Concern, and verification of sending RoC to Oranga Tamariki provided in hard copy to CEO: Digital copy held A record of any advice received. The action ABSL took including any rationale. This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident)	Records assist in identifying patterns.

## Actions to be taken by the Participant Organisations & Potential Disciplinary Outcomes:

In case of abuse involving ABSL Staff we will take some form of action. The following steps are examples of actions that may be required to follow:

- Report the matter to the relevant authorities.
- Report the matter to the police and preferably the child protection unit as appropriate.
- Refer the matter to BBNZ for further assistance.
- Request that the alleged victim and other family members approach BBNZ CEO or their local GP to obtain a referral to professional support services and medical specialists.
- Refer the matter to a judicial committee made up of people appointed by the committee with specific expertise to investigate the matter and look for a resolution.
- Seek legal advice on how to manage the issue at their level as it needs to be in accordance with the Constitution.
- Impose some form of consequence on the perpetrator (subject to the outcome of an investigation into the matter) which may include verbal or written warnings, the suspension or
- termination from the role they hold within ABSL, the banning from activities held or sanctioned by BBNZ or ABSL, and/or a direction to complete a reasonable task, e.g. a letter or apology of corrective action.
- If the perpetrator is a member of BBNZ or ABSL and the perpetrator's membership is suspended or terminated, check periodically to ensure the perpetrator is having no involvement with basketball in NZ.
- Periodically follow up on the victim's progress after initial counselling and that they have access to available care.

This is a list of basic options for ABSL. There may be many other options or actions that may be appropriate to the situation.

## Incidents and Accidents

For situations in which a young person has been injured or potentially injured ("near miss" or non-injury accident) by an accident, Health and Safety incident procedures will be followed, as set out in the Health and Safety Guidelines/Policy.

For major incidents, an investigation will be held and learning from this will be documented to minimise the chances of similar incidents happening in the future. Alleged physical or sexual abuse is very serious and requires an immediate response.

## Other Considerations

A range of other factors may be relevant when managing a potential-harm situation.

- Managing sensitivities, conflicts and stress
- These can arise within organisations and between participants (members, families and officials).
- Managing the rights of alleged offenders
- People who have allegedly acted improperly also have rights - privacy for example. They also have a reputation and families of their own, so it is important to carefully investigate any complaints and follow a robust and fair process.
- Managing media interest
- This is very important because you are dealing with the reputations of people within basketball and with the sport of basketball itself. You must follow BBNZ's media policy.

## Allegations or Complaints that are Frivolous or Malicious

There may be some instances where an allegation or complaint is made that, after investigation, is found to be frivolous or malicious. Should this occur, it may be necessary to take action against the person(s) who made the complaint. Subject to the level of harm caused by any false complaint, such actions could include issuing a verbal or written warning, suspending or terminating the person from their position within ABSL, and/or banning the person from activities held or sanctioned by BBNZ or ABSL, and/or a direction to complete a reasonable task, e.g. a letter or apology of corrective action.

Before any penalty is incurred, ABSL must consider any contractual/employment rules and requirements. In accordance with the principles of natural justice, the perpetrator must be allowed an opportunity to respond to any allegations made.

## Appendix 1: Contact Details

Where the harm or suspected harm is serious, Oranga Tamariki, Ministry for Children and the Police will be key agencies to contact.

Contact Details:

POLICE: 111

Oranga Tamariki: (0508) 326 459 Lines open 24/7 or email [contact@mvcot.govt.nz](mailto:contact@mvcot.govt.nz)

The following agencies/organisations can also provide support:

- ACC by providing financial support where a young person has been physically harmed, or by providing approved counsellors for young people who have been sexually abused.
- Citizen's Advice Bureau by providing details of local crisis counselling services.
- Child Matters is a registered charitable trust that provides training programmes, seminars and workshops on child harm, as well as advice and resources.
- Jigsaw Family Services is a national organisation focused on the wellbeing of New Zealand children and their families.
- KidsLine is New Zealand's only 24-hour helpline for children below the age of 12 years and provides trained counsellors.
- Youthline is a free telephone counselling service for young people (aged 12-18 years).
- Iwi Social Services By providing social services run by iwi, hapu and Māori organisations working with people in their rohe (tribal area).

The agencies and organisations listed above are generally national organisations. There will be other groups that operate in the local area of each Participant Organisation that may be more appropriate to contact and work with in cases of harm to young people.

## Appendix 2: Parent Code of Conduct

The essential elements of character-building and ethics in sports are embodied in the concept of sportsmanship. We believe the highest potential for sport is achieved through several core principles: trustworthiness, respect, responsibility, fairness and caring.

I therefore agree to abide by the following:

- I understand it is my responsibility to make sure my child arrives at practice on time and is picked up on time from all practices and games.
- I will inform the coach of any physical disability or ailment that may affect the safety of my child or the safety of others.
- I will respect the policies and decisions made by the coach or management and will take time to speak with the coach or management at an agreed upon time and place to discuss any issues.
- I will provide support for coaches and officials working with my child to provide a positive and enjoyable experience for all.
- I will emphasise skill development and practices and how they benefit my child over winning.
- I will refrain from coaching my child or other players during games and practices,
- I will accept decisions of the game officials on the field as being fair and called to the best ability of said official.
- I will be a positive role model for my child and encourage sportsmanship by showing respect and courtesy, and by demonstrating positive support for all players, coaches and officials.
- I will demand that my child treats other players, coaches, management, officials and spectators with respect.
- I will never ridicule or yell at my child or other participants for making a mistake or losing a competition.
- I will ensure that my child's fees are paid in a timely manner. I understand the NO PAY NO PLAY "stand" that ABSL has taken.

I also agree that if I **fail** to abide by the aforementioned rules and guidelines, I may be subject to following disciplinary action:

- Verbal warning by a designated official
- Written warning
- Parental game suspension
- Parental season suspension

<i>Parent/caregivers Name</i>	
<i>Parent/caregivers Signature</i>	
<i>Date</i>	

## Appendix 3: Player Code of Conduct

**As an ABSL Basketball representative a high standard of behaviour is expected at all times. Players are expected to be positive and to accept responsibility for all their actions.**

I will:

- Always play by the rules
- Never argue with an official. If I disagree with a decision I will inform the captain, coach or manager during a break or after the competition
- Control my temper. I understand that verbal abuse of officials and other players or deliberately distracting or provoking an opponent is not acceptable or permitted behaviour in any sport
- Work equally hard for myself and my team
- Be a good sport and applaud all good plays whether they are made by my team or the opposition
- Treat all players in my sport as I like to be treated. I will not bully or take unfair advantage of another competitor
- Cooperate with my coach, team mates and opponents
- Display modesty in victory and graciousness in defeat
- Participate for my own enjoyment and benefit, not just to please parents and coaches
- Respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion
- Thank the opposition and officials at the end of the game
- Comply with anti-doping policies.

I will not:

- Arrive at the venue or play sport while intoxicated.
- Use Social media as vehicle to defame or “bully” my peers/coaches/managers/opposition.
- In the event that a player is expelled from the team, ABSL agrees to notify the guardian immediately.
- The player and the guardian shall indemnify and hold harmless ABSL, its employees, directors, officers, sponsors, contractors, volunteers and agents from any and all claims, demands, actions and costs which may incur as a result of the athlete’s failure to satisfy any provision(s) of this Agreement This indemnification shall survive termination of this Agreement.

PARENT/GUARDIAN/ATHLETE TO COMPLETE:

By signing below the player and the guardian acknowledge having read and understood the Representative Rules as listed above, and agree to abide by all such rules.

<i>Players Name</i>	
<i>Players Signature</i>	
<i>Parent/caregivers Name</i>	
<i>Parent/caregivers Signature</i>	
<i>Date</i>	



## Appendix 4: Coach Code of Conduct

Association Representative, Club, In-schools Coaches, Assistant Coaches are expected to demonstrate the behaviours required to meet ABSL's Code of Conduct standards.

### Coaches:

As the overarching body ABSL is responsible for all policies and procedures and may direct coaches as required. ABSL supports coaches so that they may focus on the teams' preparation through training, conditioning and team management. A coach may be informed and must comply with any instructions that ABSL deems necessary. Coaches must meet the Code of Conduct standards.

### Assistant Coaches:

Assistant coaches are required to support the coach and team with all areas of the representative program and must meet the standards of the Code of Conduct.

I will:

- remember that players participate for enjoyment and winning is only part of the fun
- never ridicule or yell at players for making a mistake or not winning
- be reasonable in my demands on players' time, energy and enthusiasm
- operate within the rules and spirit of the game and teach my players to do the same
- ensure that the time players spend with me is a positive experience, all players are deserving of equal attention and opportunities
- avoid overplaying the talented players and understand that the average players need and deserve equal time
- ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players
- display control, respect and professionalism to all involved with the sport including opponents, referees, coaches, officials, administrators, the media, parents and spectators, and encourage my players to do the same.
- show concern and caution toward sick and injured players and follow the advice of a physician when determining whether an injured player is ready to recommence training or competition
- obtain appropriate qualifications and keep up to date with the latest coaching practices and the principles of growth and development of young players
- respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background
- promote adherence to anti-doping policies.

I will not:

- arrive at the venue intoxicated or drink alcohol at junior matches
- allow the unlawful supply of alcohol at training, games or club functions
- use bad language nor will I harass players, officials, spectators or other coaches

<i>Coaches Name</i>	
<i>Coaches Signature</i>	
<i>Date</i>	

## Appendix 5: Officials Code of Conduct

Association Representative, Club, In-schools Officials are expected to demonstrate the behaviours required to meet ABSL's Code of Conduct standards.

I will:

- place the safety and welfare of players above all else
- show concern and caution towards sick and injured players
- be impartial, consistent, objective and courteous when making decisions
- accept responsibility for my actions and decisions
- condemn unsporting behaviour and promote respect for the individuality of players
- be a positive role model in behaviour and personal appearance and ensure my comments are positive and supportive
- be a good sport as I understand that actions speak louder than words
- always respect, remain loyal to and support other officials
- keep up to date with the latest 'Laws of the Game', trends and principles of their application
- refrain from any form of personal abuse towards players or other officials
- respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background

I will not:

- arrive at the venue intoxicated or drink alcohol at junior matches
- allow the unlawful supply of alcohol at training, games or club functions
- use bad language nor will I harass players, coaches, spectators or other officials

<i>Officials Name</i>	
<i>Officials Signature</i>	
<i>Date</i>	

## Appendix 6: Limited Personal Release Agreement

### Limited Personal Release Agreement

The following form is a limited personal release agreement. It allows you to use the model's name or image only for the purposes specified in the agreement.

#### Grant

For consideration which I acknowledge, I grant to Auckland Basketball Services Limited (ABSL) and ABSL assigns licensees, and successors, the right to use my image for the following purposes:

- Social media
- Promotion and Marketing In the following territory of New Zealand for a period of one year(s) (the "Term").

I grant the right to use my name and image for the purposes listed above in all forms and media, including composite or modified representations, and waive the right to inspect or approve versions of my image used for publication or the written copy that may be used in connection with the images.

#### Release

I release ABSL and ABSL's assigns, licensees, and successors from any claims that may arise regarding the use of my image including any claims of defamation, invasion of privacy, or infringement of moral rights, rights of publicity, or copyright. Company is permitted, although not obligated, to include my name as a credit in connection with the image.

**Name:**

**Date:**

**Signature:**

**Address:**

**Witness Signature:**

Parent/Guardian Consent (include if the person is Under 18)

I am the parent or guardian of the minor named above. I have the legal right to consent to and do consent to the terms and conditions of this release.

**Parent/Guardian Name:**

**Date:**

**Parent/Guardian Signature:**

**Parent/Guardian Address:**

**Witness Signature:**

### **Explanation for Limited and Unlimited Personal Releases**

The Grant section establishes the rights granted by the person. In the unlimited agreement, a “blanket” grant is used. This grant is broad and intended to encompass all potential uses, whether informational, commercial, or other.

In the limited agreement, the uses must be listed—for example, “For use on the cover of trade book and for related advertisements.” This release also has limitations regarding territory and term. Insert the appropriate geographic region and term—for example, “North America for a period of two years.”

The Release section is the person’s promise not to sue the company for legal claims such as libel and invasion of privacy.

If the person is a minor, the parent or guardian should sign where it is marked Parent/Guardian Consent. Since issues about release authenticity often crop up many years after a photo was made, a witness should sign the agreement to verify the person’s signature or the signature of the parent. The witness should be an adult. An employee or assistant is suitable.

## Appendix 6: Relevant Legislation

### Health and Safety at Work Act 2015

The H&SAW Act provides a framework to secure the health and safety of workers and workplaces by protecting those within the “workplace” against harm to their health, safety and welfare by eliminating or minimising risks arising from work. The Act deals with more than just the health and safety obligations of an employer to its employees and volunteers. It provides that employers can be held vicariously liable to a third party for acts of its employees. For example, if an employee coach breached a sports club’s duty of care to a member (whether a young person or not), the club can be liable.

### Oranga Tamariki – Ministry for Children Act 1989 (formerly the Children, Young Persons and their Families Act)

The OT Act promotes the well-being and protection of children, young persons and their families. The OT Act provides that any person who believes that any young person has been, or is likely to be, harmed (whether physically, emotionally or sexually), ill-treated, abused, neglected or deprived may report the matter to the chief executive of Oranga Tamariki or a Police constable (s 15). The OT Act also provides protection for people who report such harm or likely harm from civil, criminal or disciplinary proceedings, unless the reporting was made in bad faith (s 16).

### Crimes Act 1961

The Crimes Act aims to ensure children are adequately protected from ill-treatment, neglect and assault. Ill treatment or neglect of a child, and the failure to protect a child by persons who have actual care or charge or that child and/or reside in the same household as that child, are both crimes under the Crimes Act (ss195 and 195A respectively).

The Crimes Act places a legal duty on a parent, or the person in place of a parent who has actual charge of a child, to provide that child with necessities and to take reasonable steps to protect that child from injury (s 152). While “a person in place of a parent” is not defined in the Crimes Act, it is possible that sports club personnel could be considered to be “a person in place of a parent” in certain circumstances. For example, when taking children away to an event or tournament.

### Vulnerable Children Act 2014

The VC Act provides a framework for professionals from the children’s services to work better together to improve the wellbeing of vulnerable children and help them thrive, achieve and belong. The heads of six government departments are now accountable for protecting and improving the lives of vulnerable children. Those departments are: NZ Police, the Ministries of Health, Education, Justice, and Social Development and Oranga Tamariki (Ministry for Children). Child protection policies have been adopted as standard by those departments, as well as the Ministry of Business, Innovation and Employment (Housing), District Health Boards and school Boards of Trustees. Safety checking (screening and vetting) of every person in both central and local government children’s workforce has now been introduced and people with serious convictions are prohibited from working closely with children, unless they are granted an exemption.

### Other relevant legislation

Privacy Act 1993; Income Tax Act 2007; Minimum Wage Act 1983; Sale of Liquor Act 1989;

Human Rights Act 1993;

Smoke Free Environments Act 1990;

New Zealand Bill of Rights Act 1990;

Care of Children Act 2004; Equal Pay Act 1972;

Sports Anti-Doping Act 2006; Gambling Act 2003