



CHILD PROTECTION REQUIREMENTS – NEW SOUTH WALES

This information is subject to change at any time. Refer to the NSW Commission for Children and Young People website: www.kids.nsw.gov.au or contact (02) 9286 7219.

All NSW clubs and associations who engage/employ people in child-related activities (in a paid or voluntary capacity) must meet the requirements of the Working With Children Check. This is a legal requirement.

You are required to:

- Register with the NSW Department of Sport and Recreation Employment Screening Unit;
- Identify positions (paid and voluntary) which are ***child-related positions***;
- Obtain a Prohibited Employment Declaration (PED) from all existing employees in child-related positions. PED forms can be downloaded from www.kids.nsw.gov.au/check/resources.html. If the person is a ***prohibited person*** you must remove him/her from the child-related employment;
- Keep the PED in a secure place for as long as the person is employed;
- Ask preferred applicants for paid child-related positions to sign a Consent Form for a background check;
- Include advice about the Working With Children Check in information being provided about child-related positions (e.g. coach of junior team);
- Request a background check for preferred applicants for paid child-related employment before they start work;
- Decide whether to offer the applicant the position, taking into account the result of the Working With Children Check and any other information you have available;
- Where it is not practical to complete the background check prior to employment commencing, you must still complete the check as soon as possible. You must advise employees that their ongoing employment is conditional upon the satisfactory outcome of the check;
- Notify the NSW Commission for Children and Young People of any person whose application for child-related employment has been rejected primarily because of a risk assessment in the Working With Children Check. You must do this even if you offer the person an alternative position;
- Advise the person if their application was rejected primarily because of an adverse risk assessment in the Working With Children Check;
- Notify the NSW Commission for Children and Young People of any person against whom ***relevant employment proceedings*** have been completed; and
- Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process.

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Child-related employment is any work (paid or unpaid) that involves direct and unsupervised contact with children in several types of areas such as sporting clubs and associations that have a significant child membership or involvement.

Employment includes work done:

- under a contract of employment;
- as a sub-contractor;
- as a volunteer for an organization;
- as a minister of religion (whether or not ordained); and
- undertaking practical training as part of an educational or vocational course

Prohibited person is a person convicted of committing a serious sex offence or a registrable person.

Registrable person is someone who has been found guilty of the following offences against children:

- murder
- sexual offences
- indecency offences
- kidnapping
- child prostitution
- child pornography

Relevant employment proceedings are disciplinary proceedings completed in NSW, or elsewhere, where an employer or professional body that supervises the conduct of the employee has found that '**reportable conduct**' or an act of violence occurred, or there is some evidence that it occurred. An act of violence will be relevant only if it was committed by an employee in the course of employment and in the presence of a child.

Reportable conduct is:

- any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence);
- any assault, ill treatment or neglect of a child; or
- any behavior that causes psychological harm to a child.

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MEMBER PROTECTION DECLARATION

The Australian Rugby League and its affiliated organizations have a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with Rugby League activities.

As part of this duty of care and as a requirement of the ARL Member Protection Policy, the Rugby League organisation must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that involves regular contact with people under the age of 18 years.

I (name) of

.....(address) born/...../.....

sincerely declare that:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for offences involving sexual activity, acts of indecency, child abuse, child pornography, narcotics offences or murder.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, acts of violence, intimidation or other forms of harassment.
4. I have never been sanctioned for an anti-doping rule violation under any anti-doping policy applicable to me.
5. I have never participated in, facilitated or encouraged any practice prohibited by the World Anti-Doping Agency Code or any other anti-doping policy applicable to me.
6. To my knowledge there is no other matter that the Rugby League organisation may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President or Chief Executive of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed for whatever reason.

Declared in the State/Territory of on

..... /..... /..... (date) Signature

Parent/Guardian Consent (in respect of person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name: Signature:

Date:

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OTHER AVAILABLE RESOURCES

Description	Available From
NSW Commission for Children and Young People	Level 2, 407 Elizabeth Street SURRY HILLS NSW 2010 Phone (02) 9286 7276 Website: www.kids.nsw.gov.au
Child Protection in Rugby League Brochure	NSW Rugby League Level 5, 165 Phillip Street SYDNEY NSW 2000 Phone: (02) 9232 7566 Website: www.nswrl.com.au
Australian Sports Commission – Ethics in Sport Material	Leverrier Crescent BRUCE ACT 2617 Phone: (02) 6214 1111 Website: www.ausport.gov.au/ethics

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