



Water Polo
VICTORIA

Safe Sport Framework

29 May 2017

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1. Our Safe Sport Framework

Water Polo Victoria wants water polo to be fun, enjoyable and safe for all. Unfortunately, like many other sports and activities in society, the misconduct of one individual can negatively impact the welfare, health and safety of members and participants. Misconduct has the potential to result in profound psychological and/or physical damage to members and/or participants – whether they are adults or, in particular, children or young people. These risks must be minimised to every extent possible. All of us in the Victorian water polo community have a role to play in ensuring that we keep our sport as safe and enjoyable as possible. We must proudly stand behind high behavioural standards in our sport, and hold others to these standards too; it is in the best interests of our members, participants, the community and our sport.

Water Polo Victoria and its member clubs are committed to the health, safety and general wellbeing of everyone involved in the sport of water polo including ensuring that children and young people who participate in its activities have a safe and happy experience. That is why we have developed the Safe Sport Framework.

The Water Polo Victoria Safe Sport Framework consists of the following sections:

- a. Water Polo Victoria Safe Sport Framework;
- b. Water Polo Victoria Safe Sport Commitment;
- c. Recruitment and screening for roles with direct contact with children or young people
- d. Codes of Conduct;
- e. Recognising and reporting child abuse; and
- f. Water Polo Victoria Safe Sport Framework breaches.

Water Polo Victoria and its Clubs will promote and monitor this Safe Sport Framework to the fullest extent possible and with the assistance of our members. Water Polo Victoria recognises that the responsibility for safeguarding children or young people in our sport lies with all those involved in the sport and is not the sole responsibility of any one person at the club or state level.

Should a person wish to make any enquiries in relation to the Safe Sport Framework, please contact the Executive Officer, Water Polo Victoria on 03 8560 2140.

1.1. Who is Bound by the Safe Sport Framework

The Safe Sport Framework binds everyone who is involved in our sport.

The Safe Sport Framework applies from its date of commencement as outlined on page 1.

Any child or member welfare complaint lodged on or after the commencement date, whether it involves conduct that is alleged to have occurred either before or after the commencement date, must be dealt with under this Safe Sport Framework.

The Safe Sport Framework will continue to apply retrospectively to a person or member following the cessation of their association or employment with Water Polo Victoria.

Water Polo Victoria is supported by a network of affiliated clubs across Victoria. Affiliation with Water Polo Victoria is conditional on an affiliated club implementing, and complying with the Safe Sport Framework. Failure to implement and comply with the Safe Sport Framework may cause Water Polo Victoria to end its affiliation with a club that is in breach of its obligations.

1.2. Related Documents and Legislative Requirements

The Safe Sport Framework must be read in conjunction with:

- a. The law of the Commonwealth and Victoria including but not limited to:
 - Children, Youth and Families Act 2005 (Vic);
 - Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic);
 - Crimes Act 1958 (Vic); and
 - Working with Children Act 2005 (Vic).

- b. Water Polo Victoria policies and procedures, including but not limited to:
 - Constitution;
 - Member Protection Policy, especially Sections 6.1 and 6.2, and Part E, including Attachments E3 and E4; and
 - Codes of Conduct.

1.3. Definitions

| Term | Definition |
|-------------------|---|
| Abuse | Abuse is the violation of an individual’s human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse and systemic abuse. Examples of abuse include, but are not limited to, bullying, humiliation, verbal abuse and insults, grooming, harassment (including sexual harassment), discrimination, neglect and sexual exploitation. |
| Athlete | Athlete means a water polo player - whether recreational or competitive - and who is an individual member of a club, and therefore a member of Water Polo Victoria. |
| Bullying | Bullying involves the inappropriate use of power by one or more persons or groups of persons over another less powerful person or group of persons and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include: <ul style="list-style-type: none"> • verbal (name calling, put downs, threats); • physical (hitting, punching, kicking, scratching, tripping, spitting); • social (ignoring, excluding, ostracising, alienating); and/or • psychological (spreading rumours, stalking, dirty looks, hiding or damaging possessions). Bullying may have harmed, is harming or is likely to harm or endanger a person or a child or young person. For the avoidance of doubt, bullying includes cyber bullying, which can also have lasting and damaging consequences. |
| Case 1 Complaints | Those complaints that should be immediately escalated to Water Polo Victoria. Case 1 Complaints include: <ul style="list-style-type: none"> • Child abuse; • Sexual misconduct; and • Serious criminal conduct. |
| Case 2 Complaints | Club-related complaints or inter-club matters not involving child abuse or serious criminal conduct. |
| Case 3 Complaints | Those general complaints related to adults in our sport including bullying, harassment, dissatisfaction with Safe Sport Framework-related decisions or interactions not involving child abuse or serious criminal conduct. |

| Term | Definition |
|--------------------------|--|
| Child abuse | Child abuse is the mistreatment of a child or young person that has harmed, is harming or is likely to harm or endanger that child or young person's physical or emotional health, development or wellbeing. For the avoidance of doubt, this includes but is not limited to physical abuse, emotional or psychological abuse, bullying, grooming, sexual abuse and exploitation, neglect and harassment. |
| Child protection | Means any responsibility, measure or activity undertaken to safeguard children from harm. |
| Child protection concern | <p>A child protection concern includes:</p> <ul style="list-style-type: none"> • Disclosures of actual harm, abuse or sexual exploitation of a child or young person; • The potential risk of harm, abuse or sexual exploitation of a child or young person; and • Breaches of the Codes of Conduct by staff or volunteers. |
| Child or young person | Means a person involved in the activities of Water Polo Victoria (including athletes) that is under the age of 18 unless otherwise stated under the law applicable to the child. |
| Clubs | Clubs means water polo clubs within Victoria that are currently affiliated members. Clubs must agree to adhere to the Water Polo Victoria Safe Sport Framework. |
| Codes of Conduct | The Codes of Conduct include the General Code of Conduct and the Code of Conduct for Dealing with Children and Young People. The Codes of Conduct aim to identify and prevent behaviour that may be harmful to members, participants, children or young people in our water polo communities. The Codes of Conduct outline what is, and what is not acceptable behaviour or practice when working with others or engaging with children or young people. |
| Discrimination | <p>Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws. In Australia, it is against the law to discriminate against someone because of the following (including but not limited to):</p> <ul style="list-style-type: none"> • age • sex or gender • gender identity • intersex status • race, colour, descent, national or ethnic origin, nationality, ethnoreligious origin, immigration • disability, mental and physical impairment • family/carer responsibilities, status as a parent or carer • marital status • pregnancy, potential pregnancy, breastfeeding • sexual orientation and gender identity • physical features • irrelevant medical record • irrelevant criminal record, spent convictions • political beliefs or activities • religion, religious beliefs or activities • national extraction or social origin • lawful sexual activity |

| Term | Definition |
|----------------------------------|--|
| | <ul style="list-style-type: none"> • profession, trade, occupation or calling • member of association or organisation of employees or employers, industrial activity, trade union activity • defence service • personal association with someone who has, or is assumed to have, any of the above characteristics <p>Examples of discrimination are available on the Play by the Rules website: www.playbytherules.net.au/legal-stuff/discrimination</p> <p>Some exceptions to state, territory and federal anti-discrimination law apply, including exceptions for sporting activities, such as:</p> <ul style="list-style-type: none"> • holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years); • excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note: this does not apply to activity by children who are under the age of 12 years); and • not selecting a participant if the person’s disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity. |
| Emotional or psychological abuse | <p>Emotional or psychological abuse occurs when a child or young person does not receive the love, affection or attention they need for healthy emotional, psychological and social development. Such abuse may involve repeated rejection or threats to a child or young person. Constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejection or continual coldness are all examples of emotional abuse. Specific to water polo, overtraining can constitute emotional or psychological abuse where these behaviours continue to an extent that results or has the potential to result in significant damage to the child or young person’s physical, intellectual or emotional wellbeing and development, including any form of harm. The issue of emotional or psychological abuse must be considered within the context of resources reasonably available to the child or young person through their family or carer network.</p> |
| EO | <p>The executive officer of Water Polo Victoria or a club, and includes general manager or other similar title. If the member club has no executive officer the EO means the president of the organisation.</p> |
| Grooming | <p>Grooming is a term used to describe what happens when an actual or potential perpetrator of abuse builds a relationship with a child or young person with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children or young people. For some perpetrators, there will be a lengthy period of time before the abuse begins. The child or young person may be given special attention and what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a child or young person in and abuse them relatively quickly. Some abusers do not groom children or young people but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, in social media or by other technological channels.</p> |
| Harm | <p>Harm to a person or a child or young person is any detrimental effect of a significant nature to the person or child or young person’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:</p> <ul style="list-style-type: none"> • physical, psychological or emotional abuse or neglect; |

| Term | Definition |
|---|---|
| | <ul style="list-style-type: none"> • sexual abuse or exploitation; • a single act, omission or circumstance; and • a series or combination of acts, omissions or circumstances. |
| Harassment | <p>Harassment means any type of behaviour that the other person does not want and that is offensive, abusive, belittling or threatening and that is reasonably likely to cause harm to the person who is the subject of the harassment. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated. Harassment includes bullying. Unlawful harassment includes the above but is either sexual or targets a person because of their race, gender, pregnancy, marital status, sexual orientation or other characteristic (see characteristic list under discrimination). It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. As a guide, if someone finds behaviour or actions harassing, then it could be considered as harassment. Harassment may be a single incident or repeated. It may be explicit, implicit, verbal or non-verbal and includes public acts of hatred.</p> |
| Mandatory reporter | <p>Means a person who is legally required to make a report to the Department of Human Services or the police if they form a belief on reasonable grounds that a child needs protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.</p> |
| Member Protection Information Officer or MPIO | <p>Means a person appointed by Water Polo Victoria or its clubs as a contact person regarding possible complaints under or breaches of this Safe Sport Framework. The MPIO provides impartial information about policy, process and procedures to the person with the concern or the person who is alleging a breach of this Safe Sport Framework.</p> |
| Neglect | <p>Neglect is the persistent failure or deliberate failure or denial to provide a child or young person with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water, medical attention or supervision to the extent that the child or young person's health and development is, or is likely to be, harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect and educational neglect. The issue of neglect is to be referred to the relevant external authority in the jurisdiction in which it occurs.</p> |
| Person in position of authority | <p>A person in a position of authority includes everyone who holds a position of authority in our sport, whether paid or unpaid, and includes, but is not limited to, all Water Polo Victoria and club staff, coaches, officials and volunteers. For the avoidance of doubt, a person in a position of authority also includes children or young people who may hold a position of authority in our sport over other children or young people.</p> |
| Physical abuse | <p>Physical abuse occurs when a person subjects a person or a child or young person to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a person or a child or young person. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, harmful overtraining, and kicking. It also includes giving a child alcohol, illicit drugs or prescription drugs not meant specifically for that child in the dosage and frequency outlined in a prescription from a medical authorised practitioner as outlined in a written communication from the child's parent or carer.</p> |
| Sexual abuse | <p>Sexual abuse occurs when an adult or person of authority (e.g., older, or younger but more physically or intellectually developed) involves a child or young person in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young</p> |

| Term | Definition |
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| | person for their own benefit. It can include making sexual comments to a child or young person, engaging children or young people to participate in sexual conversations over the internet or on social media, kissing, touching a child or young person's genitals or breasts, oral sex or intercourse with a child or young person. Encouraging a child or young person to view pornographic magazines, websites and/or videos is also considered sexual abuse. |
| Sexual exploitation | Sexual exploitation occurs when children or young people are forced or involved in sexual activities that are then unlawfully recorded in some way, or recorded without the consent of one or more parties, or used to produce pornography. Such pornography can be in the form of actual photos or videos whether or not published on the internet. |
| Sexual harassment | Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature and which could reasonably be anticipated to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a hostile environment. Sexual harassment does not have to be intentional |
| Sexual misconduct | Sexual misconduct means any of the following: <ul style="list-style-type: none"> • sexual offences; • sexual harassment; and • the use of technology or social media platforms with sexual connotation. |
| Sexual offence | Means a criminal offence involving sexual activity or actions of indecency or any act which exposes a child to, or involves a child in sexual activity or matters beyond his or her understanding or contrary to accepted community standards. Sexually offence behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or the child's carer, family or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence. |
| Water Polo Victoria | The state governing body for water polo in Victoria. |

2. Our Safe Sport Commitment

An integral part of the Water Polo Victoria Safe Sport commitment is the set of principles and procedural benchmarks in relation to the protection of children or young people that Water Polo Victoria and its member clubs have in place for everyone involved in our sport.

Water Polo Victoria and its member clubs endorse and support the principles of the United Nations Convention ('Convention') on the Rights of the Child 1989, which was ratified in Australia in 1990. The Convention recognises that children or young people under the age of 18 years need special care and protection.

Water Polo Victoria and its member clubs strive to:

- provide a safe environment for everyone involved in our sport;
- take an inclusive approach in our activities;
- ensure the safety and wellbeing of young people in our sport;
- develop and maintain an effective child safe culture across all our activities, programs and services;
- support all people in our sport protect young children who are involved in water polo; and
- promote and support the cultural safety of Aboriginal children, children from culturally and linguistically diverse backgrounds and children with a disability.

Water Polo Victoria has a zero-tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation, etc.

In delivering on our commitment to the health, safety and wellbeing of all, Water Polo Victoria and its member clubs take seriously their positive obligation to educate and inform everyone involved in our sport of each person's responsibilities to:

- protect and look after each other;
- protect and look after children and young people, including protecting them from child abuse and grooming; and
- create and maintain a child-safe culture and a culture of inclusion and safety that is understood, endorsed and put into action by all.

Child protection is a shared responsibility between Water Polo Victoria, its employees, workers, contractors, member clubs, parents/carers, coaches, athletes, spectators and volunteers. Everyone that participates in Water Polo Victoria's activities is responsible for the care and protection of children, and reporting information about actual or suspected child abuse.

2.1 Our commitment to children and young people

- We are committed to the safety and wellbeing of all children or young people who access any of our activities, programs, events or services.
- We are committed to providing children or young people with positive and nurturing experiences.
- We will support families and communities to promote children or young people's healthy development and wellbeing.
- We will strive to ensure that children or young people are protected.
- We will strive to ensure that children or young people are not exploited, abused or harmed during their involvement with any of our activities, programs, events or services.
- We will listen to children or young people and address any concerns that they raise with us.
- We will ask for consent from children, young people and/or their parents/carers before we seek out or provide information about them to any other individuals or organisation. However, we may not ask for consent to disclose information to police, regulatory authorities or relevant statutory child protection agencies if we have concerns about the safety and wellbeing of a specific child or young person.

2.2 Our commitment to parents and carers

- We are committed to supporting parents and carers to protect their children or young people.
- We will offer assistance that builds on a family's strengths, is sensitive to their cultural and religious beliefs and empowers them to meet the changing needs of their children or young people.
- We are committed to communicating honestly and openly with parents and carers about the wellbeing and safety of their children or young people.
- We will promote and distribute information about this commitment statement to children, young people and parents/carers as part of an introduction to our services and programs.
- We aim to be transparent in our decision-making with parents and carers as long as doing so does not compromise the safety of children or young people or breach any confidentiality obligations.

2.3 Our commitment to ensuring a child safe organisation

- We are committed to using best practice standards in the recruitment, screening and employment of any persons in positions of authority, including staff, contractors and volunteers.
- We will work to create an environment in which children or young people are safe and feel safe in any of our program, activities, or events.
- We will strive to ensure that persons in positions of authority do not harm, abuse or exploit children or young people who are involved with our programs or services.

2.4 Who is responsible for implementing the commitment statements

The Board of Water Polo Victoria delegates the implementation of the commitment to the Water Polo Victoria executive team and clubs. The role of each entity in relation to the development and compliance of the commitment statement is detailed below.

| Entity | Role/Responsibility |
|---------------------|--|
| Water Polo Victoria | <ul style="list-style-type: none"> • Promote the commitment to this statement and its expectations. • Support policy review on an annual cycle or at a time governed by legislation, regulations, Australian Sports Commission directions or organisational learnings that promote a change to the statement and all relevant policy or procedural guidelines. • Strive to ensure compliance to the statement via an inbuilt review mechanism. • Strive to ensure that adequate resources are allocated to allow for the periodic review of the Water Polo Victoria Safe Sport commitment and all relevant policies and procedures, inclusive of effective implementation. • Develop opportunities for regular discussion at all levels to support a culture of openness and continued improvement and accountability to child protection and member welfare. • Advocate and promote child or young persons' rights, empowering and engaging children or young people in support of this statement and its expectations. • Strive to ensure that all persons in positions of authority understand their obligations in accordance with the child protection commitment statement and any relevant policy and procedural documentation. • Strive to ensure that the child protection commitment statement is implemented and adhered to amongst clubs and their members, staff, officials, volunteers and participants. • Strive to ensure that the development and implementation of required internal policy/work procedures and guidelines are in place to support child protection practice in accordance with the expectations of the child protection commitment statement. • Strive to ensure that adequate resources are allocated to allow effective implementation of the child protection commitment statement. • Proactively share resources and experience in the development of child safe |

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| | <p>initiatives in water polo as they are identified.</p> <ul style="list-style-type: none"> • Develop opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of child or young person protection and member welfare. For example, in team meetings or regular forums, include safe sport as a regular agenda item. |
| Clubs | <ul style="list-style-type: none"> • Strive to ensure that all persons in positions of authority understand their obligations in accordance with the child protection commitment statement and any relevant policy and procedural documentation. • Strive to ensure that the child protection commitment statement is implemented and adhered to amongst its members, staff, officials, volunteers and participants. • Strive to ensure that the development and implementation of required internal policy/work procedures and guidelines are in place to support child or young person protection practice in accordance with the expectations of the child protection commitment statement. • Strive to ensure that adequate resources are allocated to allow effective implementation of the child protection commitment statement. • Advocate and promote child or young person rights, empowering and engaging children or young people in support of this statement. • Proactively share resources and experience in the development of child-safe initiatives in water polo as they are identified. • Develop opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of child or young person protection and member welfare. For example, in team meetings or regular forums, include safe sport as a regular agenda item. |

3. Recruitment and screening for roles with direct contact with children or young people

Water Polo Victoria and its member clubs undertake a thorough recruitment and screening process for all staff and volunteers which aims to:

- promote and protect the safety of all children who participate in the activities of Water Polo Victoria;
- identify and recruit the safest and most suitable candidates who share Water Polo Victoria's values and commitment to protect children; and
- take all possible steps to prevent a person from working in water polo if they pose an unacceptable risk to children.

Water Polo Victoria and its member clubs must apply the practices and procedures in this section to all prospective employees, volunteers and short term appointees in water polo. The recruitment and screening procedures have been developed to ensure that Water Polo Victoria and all member clubs recruit people who are suitably qualified and committed to providing professional, safe and enjoyable activities and services to children or young people.

a. Advertising

All Water Polo Victoria and club advertised positions and internal position descriptions for positions that require direct contact with, or permit access to, children or young people should contain the following statement: *"We require all applicants to undergo a screening and background check process prior to appointment."*

b. Child protection commitment statement

The child protection commitment statement must be supplied to all applicants for advertised or internal positions. Water Polo Victoria suggests that all positions advertised online contain a link to our child protection commitment statement or attach a PDF version of it.

c. Face-to-face or video interviews

Water Polo Victoria or club persons in positions of authority conducting a face-to-face or video interview must examine the following issues relating to the applicant's suitability to work with children or young people:

- the applicant's general awareness and understanding of child or young person protection issues and the importance of ensuring the safety and wellbeing of children or young people in particular;
- the applicant's beliefs and values in relation to the treatment of children or young people;
- the applicant's professional experience, qualifications and competence;
- the applicant's reasons for leaving previous positions involving work with children or young people; and
- any potential concerns regarding the applicant's resume or work history, such as gaps in their work history, frequent job changes or unusually short job appointments.

d. Proof of identity and qualifications check

The identity and qualifications of each shortlisted applicant for any position requiring direct contact with, or access to, children or young people must be confirmed by sighting 'proof of identity' and 'proof of qualifications' documents presented by the applicant that are relevant to their role and their suitability to work with children or young people. On completion of the recruitment process, copies of the successful applicant's 'proof of identity' and 'proof of qualifications' documents will be added to their employment file. If a variation to these requirements is required in relation to 'proof of identity' or 'proof of qualifications' requirements, such as an applicant being unable to provide specific documentation, it is advised an appropriate senior person seek approval for a variation. The senior person may withhold approval for any variation requested at their absolute discretion.

e. Background and screening checks

Unless the law provides otherwise, all Water Polo Victoria and club boards (however named), employees (paid or unpaid), contractors and volunteers must have a satisfactory Working with Children Check.

- Whenever possible, no applicant is to be offered a position with Water Polo Victoria or a club until after completion of the relevant background and screening checks. When this is not possible, appointment of that person must be contingent upon Water Polo Victoria or a club receiving a satisfactory background and screening check within a reasonable time period. At a minimum, the potential employee must have completed the application documentation for the relevant Working with Children Check and the employing organisation must sight that documentation prior to the commencement date of that person's position.
- If the applicant has already commenced holding a position with Water Polo Victoria or a club and the results of any background or screening checks are unsatisfactory, Water Polo Victoria or the club may terminate the individual's position without notice and this should be stated in the employment contract, contractor engagement or other engagement documentation.

Water Polo Victoria and clubs only recruit staff and volunteers with appropriate qualifications and experience and if at any stage (including before or after engagement) it is discovered that any aspect of the applicant's curriculum vitae or the references or background checks that are provided in support of the application are dishonest or misleading, Water Polo Victoria and its clubs will be entitled to terminate the engagement immediately without notice and this should be stated in the employment contract, contractor engagement or other engagement documentation.

f. Record keeping and sharing of information

Water Polo Victoria and its member clubs must comply with relevant laws in relation to record keeping. Best practice record keeping requires Water Polo Victoria and clubs to maintain:

- Records of all employees, contractors and volunteers, including 'proof of identify' and 'proof of qualification' documents and/or records.
- A register of Working with Children Check and/or National Criminal History Checks for all employees, contractors and volunteers for whom checks have been obtained. This register must detail application and approval or rejection details (including Working with Children Check or equivalent identifiers), expiry dates and any other identifying and useful information.

Water Polo Victoria and member clubs will work together in the best interests of their members, participants and persons in positions of authority. As such, when requested by Water Polo Victoria member clubs must to the extent permitted by law share information from relevant employment records and/or their register of Working with Children Check and/or National Criminal History Checks in order to resolve any recruitment or screening issues and/or in the interests of resolving any complaints relating to children or young people. For the avoidance of any doubt, all applicants provide their consent to Water Polo Victoria and its member clubs disclosing their personal information as set out above and this should be made clear to every applicant.

Working with Children Checks

The following personnel must have a valid Working with Children Checks (WWCC):

- all Water Polo Victoria staff and Board members;
- those paid by Water Polo Victoria for their services including referees;
- volunteers;
- relevant contractors who may have unsupervised access to children; and
- anyone else who Water Polo Victoria staff feel requires a WWCC due to the nature of the work that they are undertaking.

Water Polo Victoria will exercise discretion and may require applicants to provide a police check in accordance with the law and, as appropriate, before they commence their engagement and at regular intervals during their time with Water Polo Victoria.

Water Polo Victoria requires affiliated clubs to ensure all staff and volunteers including board, committee members, volunteers, coaches and referees and anyone else who has contact with children to possess a current WWCC, which needs to be signed off annually as part of the affiliation process. Clubs which do not comply with their legal obligations will be found to have not complied with the Water Polo Victoria affiliation requirements and will be disaffiliated.

Further information regarding the operation of Working with Children Checks can be obtained from:

Working with Children Check Unit, Department of Justice and Regulation

Telephone: 1300 652 879

Web: www.workingwithchildren.vic.gov.au

Guidance for volunteers, short-term appointees and children or young people in positions of authority

Sensitivity is required in relation to asking parents/carers of the children or young people to whom we deliver activities, events, programs and services to undergo Working with Children and/or National Criminal History Record checks before they are accepted as volunteers. Water Polo Victoria and club persons in positions of authority must emphasise to these parents/carers the importance we place on protecting the children or young people to whom we deliver activities, programs, events and services, informing them that, whilst rare, there have been instances of parents/carers using their volunteer status within organisations such as ours as a path to abusing children or young people. At the same time, we also state that we appreciate that the vast majority of parent/carer volunteers find the idea of abusing a child or young person abhorrent and that parents/carers make a considerable contribution to our sport and thereby to the wellbeing of the children or young people to whom we provide activities, events, programs and services.

We inform prospective parent/carer volunteers that, in the light of the above, our approach is to take every precaution to protect the children or young people in our care. Accordingly, we have adopted this Framework, which requires Water Polo Victoria and clubs to comply with any Working with Children Check legislation that applies across Victoria and to undertake such checks for all prospective parent/carer volunteers.

4. Codes of Conduct

Our Codes of Conduct outline the expected behavioural standards for interaction with each other in the Water Polo Victoria community as well as providing guidelines specific to safeguard children or young people. There are two key elements to the Codes of Conduct:

1. The General Code of Conduct, which relates to all people involved in water polo; and
2. The Code of Conduct for Dealing with Children or Young People, which is designed to keep safe all young people involved in our sport.

4.1 General Code of Conduct

Water Polo Victoria is committed to the requirements for the protection of the health, safety and well-being of all our members. To achieve that, we have a Member Protection Policy, the goal of which is to provide a safe and comfortable environment so that all members can compete and enjoy our great sport in a harassment free environment. The Member Protection Policy is available at http://www.foxsportspulse.com/assoc_page.cgi?c=0-3142-0-0&SID=151491. It is the expectation of Water Polo Victoria that all persons associated with our sport including players, coaches, officials, parents and spectators abide by the General Code of Conduct detailed below. Non-compliance with the Code of Conduct will be referred to the Board of Water Polo Victoria for formal investigation and resolution under the Member Protection Policy processes.

Essentially there are three slogans that underpin the General Code of Conduct aimed at promoting positive behaviour and respect, which are:

- **Think before you speak:** What you say and do shapes the culture of our sport. Your words can influence the way people are seen and treated by others, and the way in which people feel about themselves. It can also impact the way the community perceives our sport. Remember - what you say matters.
- **Act with respect:** Showing respect and treating everyone fairly is just as important as the game. No matter who you are or where you come from, treating each other with respect and dignity ensures everyone can enjoy the game. Whether you're playing, coaching or cheering from the sidelines - respect the referee's decision. Remember - to earn respect you must give it.
- **Play in the spirit of the game:** The way you play, coach and support says a lot about your character. Playing in the spirit of the game is more than just the rules. Players that keep their cool under pressure, even when things are not going their way, have a better chance of winning the game. Coaches that encourage sportsmanship get the best from their players. Parents that set a good example help their children enjoy the game. Remember - take responsibility for your actions and play in the spirit of the game.

Player/Athlete General Code of Conduct

- Play by the rules.
- Never argue with an official. If you disagree, have your captain, coach or manager approach the official after the competition.
- Control your temper. Verbal abuse of officials and sledging other players, deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in any sport.
- Work equally hard for yourself and/or your team. Your team's performance will benefit so will you.
- Be a good sport. Applaud all good plays whether they are made by your team or the opposition.
- Treat all participants in your sport as you like to be treated. Do not bully or take unfair advantage of another competitor.
- Cooperate with your coach, team mates and opponents. Without them there would be no competition.
- Participate for your 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.

Parent/Guardian General Code of Conduct

- Remember that children participate in sport for their enjoyment, not yours.
- Encourage children to participate, do not force them.
- Focus on the child's efforts and performance rather than winning or losing.
- Encourage children always to play according to the rules and to settle disagreements without resorting to hostility or violence.
- Never ridicule or yell at a child for making a mistake or losing a competition.
- Remember that children learn best by example. Appreciate good performances and skilful plays by all participants.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Respect officials' decisions and teach children to do likewise.
- Show appreciation for volunteer coaches, officials and administrators. Without them, your child could not participate.
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Coach General Code of Conduct

- Respect the rights, dignity and worth of every human being. Treat everyone equally regardless of sex, disability, ethnic origin or religion.
- Ensure the athlete's time spent with you is a positive one. All athletes are deserving of equal attention and opportunities.
- Treat each athlete as an individual. Respect the talent, development stage and goals of each individual athlete. Help each athlete reach their full potential.
- Provide a drug free environment.
- Be fair, considerate and honest with athletes.
- Be professional and accept responsibility for your actions. Maintain or improve your current NCAS accreditation. Seek continual improvement through performance appraisal and ongoing coach education. Provide a training program, which is planned and sequential. Maintain appropriate records.
- Make a commitment to providing a quality service to your athletes.
- Operate within the rules of your sport. Any physical contact with athletes should be:
 - Appropriate to the situation
 - Necessary for the athlete's skill development.
- Refrain from any form of personal abuse towards your athletes.
- Refrain from any form of harassment.
- Provide a safe environment for training and competition.
- Show concern and caution towards sick and injured athletes.
- Be a positive role model for your sport and athletes.
- Refrain from inappropriate behaviour towards officials and parents.

Referee/Official General Code of Conduct

- Respect the rights, dignity and worth of every human being regardless of age, gender, ethnic origin, religion or ability involved with water polo (including athletes, coaches, officials, administrators, parents and spectators) and encourage other referees/officials to demonstrate these qualities.
- Be professional in your appearance and manner and accept responsibility for all actions taken.
- Provide a drug free environment.
- Make a commitment to providing quality service to officiating by seeking continual improvement of your officiating knowledge and skill through study, performance appraisal and regular updating of any competencies.
- Operate within the rules and spirit of water polo.
- Refrain from any form of personal abuse towards athletes, officials, parents and coaches.
- Refrain from any form of sexual harassment.
- Place the safety and welfare of the participants above all else.
- Be impartial.
- Avoid any situation which may lead to a conflict of interest.
- Show concern and caution towards sick and injured athletes.
- Encourage inclusivity and access to all areas of officiating.
- Be a positive role model for refereeing and officiating.

Spectator General Code of Conduct

- Remember that people participate in sport for their enjoyment and benefit, not yours.
- Applaud good performance and efforts from all individuals and teams. Congratulate all participants on their performance regardless of the game's outcome.
- Respect the decisions of officials and teach players to do the same.
- Never ridicule or scold a player for making a mistake. Positive comments are motivational.
- Condemn the use of violence in any form, whether it is by spectators, coaches, officials or players.
- Show respect for your team's opponents. Without them there would be no game.
- Encourage players to follow the rules and the official's decisions.
- Do not use foul language, sledge or harass players, coaches or officials.
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Administrator and Volunteer General Code of Conduct

- Involve young people in planning, leadership, evaluation and decision making related to the activity.
- Give all people equal opportunities to participate.
- Create pathways for young people to participate in sport not just as a player but as a coach, referee, administrator, etc.
- Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of players.
- Provide quality supervision and instruction for junior players.
- Remember that young people participate for their enjoyment and benefit. Do not overemphasise awards.
- Help coaches and officials highlight appropriate behaviour and skill development and help improve the standards of coaching and officiating.
- Ensure that everyone involved in junior sport emphasises fair play, and not winning at all costs.
- Give a code of behaviour sheet to spectators, officials, parents, coaches, players and the media, and encourage them to follow it.
- Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Make it clear that abusing people in any way is unacceptable and will result in disciplinary action.
- Respect the rights, dignity and worth of every person regardless of their age, gender, ability, cultural background or religion.

4.2 Code of Conduct for Dealing with Children or Young People

Everyone in water polo must:

- Use language around young people which provides clear direction, boosts their confidence, is positive and affirming and not in any way:
 - discriminatory
 - racist
 - sexist
 - derogatory or negative
 - threatening or intimidating
 - profane or sexual in nature or content.

- Only use social media and electronic communications to communicate with a young person on issues directly related to water polo activities and, wherever possible, copy such communication to the parent or carer. Further, such communication should never be used to arrange unauthorised social contact or include anything of a sexual nature.

- Ensure that any physical contact with a young person is necessary and appropriate to the water polo related activity;

- Never engage in any sexual behaviour whether involving physical contact or not with or in the presence of a young person;

- Do not provide transportation for or engage in any social contact with a young person unless specifically authorised by that person's parent or carer;

- Avoid unsupervised situations with young people;

- Do not give gifts to a young person without approval from that person's parent or carer;

- Not take any images of a young person unless:
 - Prior permission has been obtained;
 - It is directly related to participation in water polo;
 - The young person is appropriately dressed and posed; and
 - It is taken in the presence of another person in authority.

- Never allow overnight stays by a young person unless:
 - Prior permission has been obtained from the parent or carer and Water Polo Victoria or the young person's water polo club; and
 - The practices and behaviour during any such stay are consistent with the Safe Sport Framework and generally accepted community standards.

- Avoid one-on-one situations with a young person in a change room whilst balancing any requirement for supervision of a young person in a change room with their right to privacy;

- Whilst carrying out any role in water polo, paid or otherwise:
 - Do not use, possess, supply or be under the influence of alcohol or any illegal, illicit or performance enhancing substance; or
 - Do not smoke any tobacco related product.

4.3 Child safe and child friendly guidelines to prevent and manage risks of child abuse

4.3.1 Change rooms

Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

4.3.2 Hotel rooms and other accommodation

No official should be alone in the room of an athlete without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of an athlete, the team manager or other responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

4.3.3 Travel - General

All team members over 18 years of age retain an overriding responsibility for the welfare of all athletes they accompany during team travel activities. They have a 'duty of care' for athletes and they must meet that duty and avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

4.3.4. Sexual relationships while on tour

During all team travel activities officials must not, under any circumstances engage in conduct of a sexual nature with an athlete. Improper conduct of a sexual nature by an official towards an athlete includes any form of child sexual abuse (defined within the (Organisation) Member Protection Policy) as well as but not limited to the following:

- inappropriate conversations of a sexual nature;
- obscene language of a sexual nature;
- suggestive remarks or actions;
- jokes of a sexual nature;
- obscene gestures;
- unwarranted and inappropriate touching;
- sexual exhibitionism;
- use of any device to show/watch offensive material; and
- any other action that could lead to an athlete being physically, emotionally or psychologically harmed.

4.3.5. Adults under investigation

Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to jeopardise their Working With Children Check status may be prohibited by the Water Polo Victoria Board from participating in Water Polo Victoria activities.

4.3.6. Coach assistance

All coaches must ensure that all physical contact with athletes, which occurs when coaching is appropriate for the situation and necessary for the athlete's safety. It is strongly recommended that:

- coaches ensure that there are other adults present whenever coaching;
- coaches take care to explain the procedure to the child prior to beginning any physical contact; and
- coaches obtain consent from the athlete prior to beginning any physical contact.

4.3.7. Physical contact with children or young people

Any physical contact with children or young people must be appropriate to the delivery of Water Polo Victoria and its clubs' services, events, programs or activities, such as when fitting sporting equipment such as water polo caps, and appropriately correcting technique and based on the needs of the child or young person (such as to assist or comfort a distressed young person) rather than on the needs of persons in positions of authority. Under no circumstances should any person have contact with children or young people in our sport that involves touching of genitals, of buttocks or of the breast area (of female children or young people). Contact is expressly prohibited by persons in positions of authority if:

- it would appear to a reasonable observer to have a sexual connotation;
- it is intended to cause pain or distress to the child or young person – for example corporal punishment;
- it is overly physical – as is, for example, wrestling, horseplay, tickling or other roughhousing;
- it is unnecessary – as is, for example, assisting with toileting when a child or young person does not require assistance;
- it is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child or young person or to others, in which case:
 - physical restraint should be a last resort;
 - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others; and
 - the incident must be reported to a senior person as soon as possible.
- Persons in positions of authority are required to report to a senior person any physical contact initiated by a child or young person that is sexual 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 or young person, persons in positions of authority and any other participants.

4.3.8. Roles and responsibilities of personnel protecting children

Personnel involved in protecting children include the board, management, staff and volunteers within the Water Polo Victoria and member clubs. Those people have responsibilities in relation to protection of children and are expected to:

- understand the rights of children, as appropriate to their role;
- respect the cultural and religious practices of families who access Water Polo Victoria and member club's activities, programs, events and services;
- understand and appropriately respond to the needs of children with developmental delays or disabilities;
- appropriately act on any concerns raised by children;
- understand the definitions, indicators and impact of child abuse;
- know and follow regulations in relation to the care of children;
- co-operate with police and/or other formal investigations to the best of their ability; and
- not harm or exploit children who access Water Polo Victoria or member club's activities, programs, events and services.

5. Recognising and reporting child abuse

A person may, in the course of participating in the sport or other activities of Water Polo Victoria or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.

If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.

The rest of this page states reporting obligations in all situations, not just those related to water polo.

Mandatory reporters

Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable ground for the belief.

Reasonable grounds for belief

A reasonable belief is formed if a reasonable person believes that:

- the child is in need of protection;
- the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
- the child's parents are unable or unwilling to protect the child.

To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

You will have reasonable grounds to notify if:

- a child states that they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child states that the child has been physically or sexually abused;
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or
- signs of abuse lead to a belief that the child has been physically or sexually abused.

Voluntary Reporters

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, *may* disclose that information to the police or the Department of Health and Human Services.

Reporting Child Sexual Abuse

If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of three (3) years imprisonment.

Water Polo Victoria approach to reports of abuse

Water Polo Victoria supports and encourages a person to make a report to the police or the Department of Health and Human Services if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.

Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by Water Polo Victoria, and will not be penalised by Water Polo Victoria for making the report.

If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the Water Polo Victoria EO for guidance and information. If in doubt, ask for assistance.

If an allegation is made against a member of staff or volunteer, Water Polo Victoria will follow the reporting procedure outlined in Water Polo Australia Member Protection Policy and take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation, working from home, or any other measures deemed appropriate depending on the seriousness of the allegation.

Water Polo Victoria will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.

Water Polo Victoria will cooperate with the directions of the police and/or the Department of Health and Human Services in relation to any investigation conducted by these authorities.

Water Polo Victoria will keep a register of any allegations regarding inappropriate conduct.

6. Safe Sport Framework breaches

It is a breach of this Framework for any person or organisation, to which this Framework applies, to have been found to have done anything contrary to this policy. Any person who may breach this Framework will be subject to Water Polo Australia's Member Protection Policy. The Member Protection Policy is available at: http://www.foxsportspulse.com/assoc_page.cgi?c=0-3142-0-0-0&SID=151491.

Specifically, refer to section 7 – Complaints procedures of the Water Polo Australia's Member Protection Policy.

In general terms anyone, whether involved in water polo or not, can raise a concern with us regarding any behaviour, omission, situation or decision which may be a breach of the Codes of Conduct or the Safe Sport Framework.

Water Polo Victoria will always:

- Deal with it fairly, transparently and in a timely manner;
- Communicate on a regular basis with all parties concerned;
- Apply the principles of procedural fairness to a complaint; and
- Report any serious allegations involving a young person to relevant authorities.

What are the Consequences of a Breach?

This will depend on the nature and seriousness of the breach. All alleged breaches will be investigated and may result in the imposition of disciplinary measures. Other than cases involving sexual matters, serious criminal conduct or child abuse, Water Polo Victoria may refer a complaint to mediation. The types of disciplinary measures that may be imposed are wide and varied but may include such things as:

- An apology
- Attendance at counselling
- A warning
- Withdrawal of privileges of membership
- Suspension from certain activities, which may take place immediately, e.g. in the case of a travelling team
- Suspension of membership
- Termination of employment
- A monetary fine
- Any other form of discipline considered appropriate.

Safe Sport complaint procedure principles

The Safe Sport complaint procedures are guided by the principles set out below. In the event of any uncertainty regarding how to deal with complaints, please draw on these principles to guide an appropriate course of action:

- a. All matters involving one or more of child abuse or serious criminal conduct should immediately be referred to Water Polo Victoria and/or police (if there is an immediate threat of harm or a serious offence has or appears to have occurred) and/or the appropriate external agencies by members, participants and/or persons in positions of authority. Such incidents are Case 1 Complaints – refer to the table in section 1.3 Definitions or below in Incident categorisation.
- b. Except for Case 1 Complaints, where possible, complaints should be dealt with as soon as practicable after they become known and dealt with at club level to minimise:
 - harm to children or young people;
 - distress to complainants and those against whom allegations are made; and
 - time taken by clubs and Water Polo Victoria to resolve complaints.
- c. Always involve appropriately skilled persons in positions of authority to work through a complaint consistent with mandatory reporting requirements.
- d. Persons in positions of authority should consult other persons in positions of authority at a more senior level than them when resolving contentious complaints.

Record keeping and sharing

Water Polo Victoria and clubs must keep records of all complaints. For Case 2 and 3 Complaints, records must be kept for a minimum of 3 years. For all Case 1 Complaints, records must be maintained for a minimum of 7 years.

Records must be maintained in a secure and confidential place – preferably both in electronic and hard copy versions.

All clubs will share records with Water Polo Victoria and provide those records upon request.

What can complaints be about?

Complaints may be about an act, behaviour, conduct, omission, situation or decision that is in breach of this Safe Sport Framework. It may be about:

- a child or young person or an adult;
- a group or organisation;
- a single incident or a series of incidents;
- in relation to issues with children or young people - a seemingly minor issue or a very serious issue, such as harm to a child or young person;
- a breach of our child protection commitment statement; or
- a breach by a volunteer, member, athlete or person in a position of authority of our Codes of Conduct.

Incident categorisation

| Case | Incident/Allegation Type | Initial Contact |
|------------------|--|-----------------|
| Case 1 Complaint | <ul style="list-style-type: none">• All child abuse matters and allegations of sexual misconduct or serious criminal conduct• Case 1, 2 and 3 appeals | WPV |
| Case 2 Complaint | <ul style="list-style-type: none">• State-related complaints or inter-club matters including dissatisfaction with Framework-related decisions not involving child abuse or serious criminal conduct. | WPV |
| Case 3 Complaint | General complaints related to members in the club not involving child abuse or serious criminal conduct. | Club |

7. Policy promotion

This policy will be made available to all members via Water Polo Victoria's website.

References to this policy will be included in documentation provided to all clubs, officials and individuals that represent Water Polo Victoria.

8. Review process

This policy will be reviewed by the Water Polo Victoria Board every two years.

If you would like to provide Water Polo Victoria with any feedback or suggestions to improve this policy, please contact Water Polo Victoria's Executive Officer on 03 8560 2140.

In addition to the regular review of this policy, recommendations for changes to the policy may be submitted to the Board for consideration at any time. In the event that changes are accepted, the policy will be updated, and circulated to all stakeholders via the webpage, email and other appropriate communication channels.