

NATIONAL RUGBY LEAGUE (NRL) PACIFIC PROGRAM CHILD PROTECTION POLICY

December 2019

Version Control

Version	Who Updated	When Updated	Details
1.	Michael Asensio, Pacific Programs Manager	June 2016	NRL Pacific Child Protection Policy developed
2	Michael Asensio, Pacific Programs Manager	October 2016	Update to Section 3.2 – addition of ‘personnel’ to the list of terminology
3	Michael Asensio, Pacific Programs Manager	December 2017	Updated Policy following review by DFAT
4	Monique Hennessy, NRL Legal Council	Dec 2019	Updated Policy following internal NRL Review and NRL Safeguarding Children and Young People Framework Development

1 Background and Context

- 1.1 The Australian National Rugby League's (NRL's) Pacific Program connects Australia and the Pacific through rugby league. The Program aims to improve the participation of women and men in rugby league whilst delivering education and health initiatives and providing mentoring and leadership opportunities for women and girls.
- 1.2 The Australian Rugby League Commission (ARLC) is the single controlling body and administrator of Rugby League within Australia. The ARLC receives funding from the Department of Foreign Affairs and Trade (DFAT), and other sources to implement the NRL's Pacific Program in Papua New Guinea (PNG), Fiji, Samoa, and Tonga.

2 Statement of Policy

- 2.1 The NRL acknowledges that our personnel and volunteers provide a valuable contribution to the positive experiences of children who participate in our programs.
- 2.2 The NRL aims to protect the safety and welfare of all children by providing a safe environment for all participants, free from harassment, discrimination and abuse, and promotes respectful and positive behaviour and values.
- 2.3 Practical activities to ensure the success of this Policy include:
 - 2.3.1 setting behavioural expectations which prohibit any form of abuse against children;
 - 2.3.2 identifying roles which require the personnel to have regular contact with children
 - 2.3.3 ensuring the NRL Pacific Program's Child Protection Policy and Child Protection Code of Conduct is promoted, enforced and reviewed to stay relevant to create a safe environment for Children and Young People
 - 2.3.4 providing information to those involved in our sport about how to minimise risk of child abuse and how to create safe environments for Children and Young People to enjoy sport.
- 2.4 A copy of this Policy will be provided to schools, clubs, funding bodies and other organisations or individuals the NRL Pacific Program may engage with.
- 2.5 This Policy will be available to the public on the NRL Pacific Program's website located at https://www.playrugbyleague.com/media/2699/nrl-pacific-program-child-protection-policy-and-procedures_dec17.pdf

3 Purpose

- 3.1 This Safeguarding Children and Young People Policy (**Policy**) provides an outline of how NRL will deliver its commitments to keeping our Children and Young People in NRL safe. This applies to Children and Young People who are involved in NRL activities, programs, services and facilities across all levels of the sport, including in the NRL's Pacific Program. This Policy serves as a guide to assist NRL People in understanding their responsibilities

regarding the safeguarding of Children and Young People in NRL. .

- 3.2 Our policies and procedures seek to address risks to child safety and to establish child safe culture and practices. In the event a concern or allegation of abuse relating to a Child or Young Person under the care of NRL is raised, it will be treated seriously by the NRL, in a culturally sensitive and respectful manner. It will be fully investigated according to our published Policy, Supporting Documents, policies and guidelines; consistent with industry best practice and relevant legislative instruments.
- 3.3 NRL will enthusiastically promote the safety of Children and Young People throughout the NRL Pacific Program and into the Pacific Program grassroots programs.

4 Scope of the Policy

- 4.1 This Policy applies to all NRL People and is operational across the NRL.
 - NRL employees and volunteers
 - NRL Pacific Program employees
 - NRL Pacific Program volunteers
 - All partners of NRL Pacific Program
 - All organisations subcontracted to perform work for NRL Pacific Program including:
 - Non-Government Organisations (NGO's);
 - Civil Society Organisations (CSO's);
 - Consultants;
 - Contractors;
 - Advisors; and
 - any personnel who perform duties for any of these organisations.
- 4.2 The NRL is committed to supporting understanding of the NRL Commitment to safeguarding Children and Young People through provision of resources, access to training materials and transparent and consistent communication.

5 Definitions

Abuse	Includes: physical abuse - the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning neglect - the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing emotional abuse - refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence sexual abuse - the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography ill-treatment - disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child
Child or children	In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this Policy, the NRL considers a child to be a person under the age of 18 years
Child exploitation	One or more of the following: - committing or coercing another person to commit an act or acts of abuse against a child - possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material - committing or coercing another person to commit an act or acts of grooming or online grooming

	- using a minor for profit, labour, sexual gratification, or some other personal or financial advantage
Child Protection Officer	The NRL Pacific Program has dedicated Child Protection Officers for each country in which the Program operates – Fiji, PNG, Samoa and Tonga. The relevant Child Protection Officer is the person that can be contacted when making a child protection report. Contact details for the Child Protection Officers are found in the <i>'Reporting'</i> section below
Contact with children	Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment (also see <i>Working with children</i> definition)
Criminal record check	A check of an individual's criminal history record. Individuals need to consent to a criminal record check and should be informed of the purpose for which the resulting police clearance certificate will be used, including sighting by DFAT or other funding bodies
DFAT	Australia's Department of Foreign Affairs and Trade
Grooming	Generally, refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings, or exposing the child to sexual concepts through pornography)
Harm	Any detrimental effect on a child's physical, psychological or emotional wellbeing. Harm may be caused by financial, physical or emotional abuse, neglect, and/or sexual abuse or exploitation whether intended or unintended
Impact	The overall long-term effect produced by an investment. This includes positive and negative changes produced by an investment (directly or indirectly, intended or unintended)
Informed consent	Ensures the child and the parent or guardian understand the implications, purpose and potential uses of photographs or videos
NDoE	The relevant National Department of Education in Fiji, PNG, Samoa or Tonga
NRL	Australia's National Rugby League
Online grooming	The act of sending an electronic message to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender; or of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age
Personnel	For purposes of this Policy, personnel refers to: NRL Pacific staff including coaches, volunteers, visitors, all downstream partners or organisations

	subcontracted by the NRL including Non-Government Organisations (NGO's), Civil Society Organisations (CSO's), consultants, contractors or advisers and their personnel
Working with children	Working with children means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working with children may also include volunteering or other unpaid works (also see <i>Contact with children</i> definition)

6 Reporting

The NRL requires all NRL People to immediately report any concerns they may have for the safety or wellbeing of a child. The following steps are to be followed when making a report:

6.1 Who can report?

- 6.1.1 Anyone can make a report including a child, a young person, NRL staff, teachers, parents, guardians, community members, volunteers, coaches, visitors etc.
- 6.1.2 A person will not be victimised for reporting an allegation of child exploitation or abuse and the privacy of all persons concerned will be respected.

6.2 What should be reported?

6.2.1 Anything you see, hear, observe, suspect, are told, or makes you concerned for the safety or well-being of a child must be reported.

6.2.2 Personnel must report to the NRL Pacific Program's Child Protection Officers:

- any suspected or alleged case of child exploitation or abuse, or
- any breach of the NRL's Pacific Program Child Protection Policy (or DFAT Child Protection Policy if a DFAT funded activity), or
- any breach of the NRL's Pacific Program Child Protection Code of Conduct

6.3 When should I make a report?

6.3.1 Personnel must contact the relevant NRL Pacific Program's Child Protection Officer immediately if there is any suspected or alleged case of child exploitation or abuse, or breach of the NRL's Pacific Program Child Protection Policy or Child Protection Code of Conduct.

6.3.2 Personnel are not to undertake any investigations themselves as this may jeopardise formal investigations by local authorities.

6.4 How do I submit a report?

- 6.4.1 A report can be submitted using the NRL Pacific Program's Child Protection Reporting Form. The Form is available as an attachment to this policy.
https://www.playrugbyleague.com/media/2699/nrl-pacific-program_child-protection-policy-and-procedures_dec17.pdf
- 6.4.2 A report can be initially accepted verbally, however, it should be followed up in writing or by email within 24 hours using the NRL Pacific Program's Child Protection Reporting Form.
- 6.4.3 If required, the NRL Pacific Program's Child Protection Reporting Form can be completed by the relevant NRL Pacific Program's Child Protection Officer.

6.5 To whom do I submit my report?

- 6.5.1 Reports are to be submitted to the relevant NRL Pacific Program's Child Protection Officer:

Fiji

Mrs Ema Levaci
elavaci@nrl.com.au
Phone: +679 751 1956

Papua New Guinea

Ms Cathy Neap
cneap@nrl.com.au
Phone: +675 7248 2051

Samoa

Mr Mike Felise
mfelise@nrl.com.au
Phone: +685 7736 167

Tonga

Mr Tavake Fangupo
tfangupo@nrl.com.au
Phone: +676 873 7704

- 6.5.2 If a report cannot be submitted via email, it can be accepted verbally by calling the relevant phone number above. If required, the relevant NRL Pacific Program's Child Protection Officer can complete the NRL Pacific Program's Child Protection Reporting Form on behalf of the person calling.
- 6.5.3 If a Child Protection Officer is not available, or if they are the person being reported against, then reports must be sent to Mr Michael Asensio, NRL Pacific Program Manager in Australia at masensio@nrl.com.au. Mr Asensio can also be reached via phone: +61 439 242 744.

6.6 What will happen after a report has been submitted?

- 6.6.1 After a Child Protection Reporting Form has been submitted it must be forwarded to Mr Michael Asensio, NRL Pacific Program Officer in Australia, who will liaise with the relevant staff at NRL Legal and NRL Integrity Unit.
- 6.6.2 The relevant parties within NRL Australia will gather the relevant information and may undertake an investigation. Depending on the nature of the report, the police (in the country in question and Australia) and other relevant agencies in either or both countries may be contacted.
- 6.6.3 DFAT has a zero-tolerance approach to child exploitation and abuse. For any DFAT funded activity, it is an obligation under the agreements between DFAT and NRL for NRL Australia to immediately report any suspected or alleged case of child exploitation or abuse, or any breach of the NRL Pacific Program Child Protection Policy and/or NRL Pacific Program Code of Conduct to childwelfare@dfat.gov.au NRL Australia will keep DFAT informed of any matter and report any action undertaken by the NRL Pacific Program and/or NRL Australia in a timely manner.

in instances where the report has occurred in a school environment, the relevant parties within NRL Australia are required to make contact immediately with the National Department of Education (NDoE) in the country where the alleged child abuse or child exploitation has occurred.. NRL Australia will keep the NDoE informed of any matter and report any action undertaken by the NRL Pacific Program and/or NRL Australia in a timely manner.

- 6.6.4 In the event a complaint is made against a person who holds any position, either paid or voluntary, within the NRL Pacific Program, they will be suspended from their duties pending any investigation. Depending on the outcome of the investigation by either NRL, the police or any other government agency, they may be reinstated under altered conditions, monitored, warned, suspended pending additional training requirements, transferred to other duties or terminated. The alleged perpetrator will be distanced from the alleged victim within the NRL Pacific Program. .
- 6.6.5 The relevant NRL Pacific Program Child Protection Officer will liaise with the child involved and their family and offer assistance to contact local support services.
- 6.6.6 IN the event an investigation is conducted by NRL Australia which finds a breach of the NRL Pacific Program Child Protection Policy or NRL

Pacific Program Code of Conduct the perpetrator may be monitored, warned, suspended, transferred to other duties or have their employment terminated depending on the nature of the breach. If the breach of the Policy or Code involved a misunderstanding the relevant NRL Pacific Program Child Protection Officer will meet with the person in question to discuss the matter. They will be counselled as to the behavioural expectations of NRL People in performing their duties. They will also be required to undertake further training about safeguarding Children and Young People and NRL Policies and procedures relating to behavioural expectations and working with Children and Young People in a safe manner.

6.6.7 For all reports made to the NRL Pacific Program and the NRL Australia:

- principles of procedural fairness will be observed
- confidentiality will be maintained except when a report to police or relevant authorities or DFAT or funding partners is required at law,
- anyone making a false allegation will be disciplined (this includes possible termination of employment)
- will be handled professionally and in a timely manner and all reports and related documentation will be securely filed.

7 Recruitment and Screening

- 7.1 The NRL Pacific Program makes a commitment to prevent any person from working with children if they pose an unacceptable risk to children.
- 7.2 The NRL Pacific Program reserves the right not to engage any person considered to be an unacceptable risk to children.
- 7.3 Employment contracts for the NRL Pacific Program will contain provisions to warn, suspend, transfer to other duties, or to terminate an employee after an investigation.
- 7.4 At least two verbal referee checks will be conducted and documented during the recruitment process. Referees will be asked about the applicant's suitability for the role, and to work with children and/or to have regular unsupervised contact with children.
- 7.5 A pre-employment application form must be completed by all applicants during the recruitment process. The form will ask individuals if they have a criminal record and if they have been charged with child exploitation offences, and there will be a dedicated space for their response.
- 7.6 The NRL Pacific Program will undertake criminal record checks for each country the individual has lived for 12 months or longer over the last five years, and for the individual's countries of citizenship.
- 7.7 If it is impossible to obtain a reliable criminal record check, a statutory declaration, or local legal equivalent, outlining efforts made by the NRL Pacific Program to obtain a foreign police check, and disclosure by the applicant of any charges and spent convictions related to child exploitation, maybe accepted instead.

- 7.8 In addition to the above, interview plans that incorporate behavioral based interview questions will be used for specific positions that involve working with children. The behavioural-based questions to be asked during an interview may be taken from the list below:
- 1.1.1 Have you worked or volunteered with children in a similar position before? What did you like about it? What did you find difficult?
 - 1.1.2 How have you handled children who did not want to participate in an activity?
 - 1.1.3 Do you mind being supervised?
 - 1.1.4 What motivates you/why do you want to work with children in this program?
 - 1.1.5 Provide me with three examples of how to work safely with children.
 - 1.1.6 What do you think makes a good community leader or role model for children and young people?
 - 1.1.7 How would you handle children who were not listening to your instructions?
 - 1.1.8 How would you create a child safe and friendly space for children to play sport?
- 7.9 The relevant Child Protection officer will review all of these checks when personnel have a change in circumstances.
- 7.10 It is the responsibility of each Child Protection Officer to ensure all documentation relating to the recruitment and screening process is securely filed.

8 Partner Organisations and Downstream Partners

- 8.1 When engaging partner organisations, such as NGOs and individual contractors, the relevant Child Protection Officer will ensure there is a documented plan for each of their respective countries to ensure downstream partners meet the child protection standards outlined in this Child Protection Policy.
- 8.2 This documented plan may include child protection training sessions, regular monitoring (NRL representatives visiting a project site), regular reporting by the downstream partner etc.
- 8.3 The documented plan will be updated by the relevant Child Protection Officer on an annual basis (or earlier if required) and will be available for funding partners such as DFAT, to view upon request.

9 Child Protection Training and Awareness Raising

- 9.1 The NRL Pacific Program, through the relevant Child Protection Officer, will provide a child protection induction session for new personnel, including volunteers, on the NRL Pacific Program's Child Protection Policy and NRL Pacific Program Code of Conduct, and the expected, professional behaviours of NRL personnel. The induction session will also include discussion regarding the individual's responsibility to build and maintain a child safe organisation, and what is considered appropriate behaviour when interacting with children or child sensitive material. New personnel will be provided with a copy of the NRL

Pacific Program's Child Protection Policy and must sign the NRL Pacific Program Code of Conduct.

- 9.2 Following induction, personnel will be provided with annual child protection training and will be reminded of their obligations under the NRL Pacific Program's Child Protection Policy and Code of Conduct.
- 9.3 In addition to annual child protection training, personnel will be reminded of their child protection obligations during staff meetings, annual general meetings, conferences, internal communication etc.
- 9.4 The Child Protection Officer in each country will keep a record of the agenda for each training session, a copy of the materials used and an attendance record. This material and records will be made available to funding partners (including DFAT) upon request.

10 Child Protection Risk Assessment

- 10.1 A risk assessment of this Policy will be conducted by the NRL's Pacific Program Manager, who is based in Australia, every 12 months (or earlier if required), and the Policy will be updated accordingly. The relevant Child Protection Officer will ensure personnel in their respective countries are provided with an updated copy of the NRL Pacific Program's Child Protection Policy.
- 10.2 The relevant Child Protection Officer will ensure a Child Protection Risk Assessment is undertaken for every activity that is implemented within their respective country. The Risk Assessment will highlight potential child protection risks and mitigation strategies. The relevant Child Protection Officer will ensure the Risk Assessment for each activity is updated on an annual basis (or earlier if required).

11 NRL Pacific Program Code of Conduct

- 11.1 Implementing sports programs such as the NRL's Pacific Program will involve physical contact.
- 11.2 All personnel must act in a professional and respectful manner. Personnel must avoid actions or behaviours that are abusive or exploitative of children or young people, or actions or behaviours that could be construed as such.
- 11.3 Within the NRL's Pacific Program, physical contact is not encouraged however in circumstances where it is appropriate, such as instruction of technique which requires physical contact, it must only occur in an open environment in the following circumstances:
 - 11.3.1 to assist in skill development;
 - 11.3.2 as required for the child's safety; and/or
 - 11.3.3 with the player's understanding and permission.
- 11.4 Physical contact is inappropriate if it:
 - 11.4.1 includes touching the groin, genital area, buttocks, breasts or any part of the body that may cause distress or embarrassment;
 - 11.4.2 frightens, distresses or embarrasses a child;
 - 11.4.3 destroys a child's trust; and/or
 - 11.4.4 occurs in a private place

- 11.5 All personnel will be required to sign the NRL Pacific Program's Child Protection Code of Conduct. This information will be securely filed by the relevant Child Protection Officer.

12NRL Pacific Program Child Protection Policy Review

- 12.1 This Policy will be reviewed at least every 12 months or as required by Michael Asensio the NRL Pacific Program Manager. Any changes must be authorised by the relevant members from NRL Legal and NRL Integrity.

NRL Pacific Program Child Protection Code of Conduct

I, _____[insert name], acknowledge that I have read and understand the NRL's *Pacific Program Child Protection Policy*, and agree that in the course of my association with the NRL I must:

- 1) treat all children with respect;
- 2) ;use appropriate language and behavior when interacting with children and young people and ensure that my language and behaviour when interacting with children and young people is never inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- 3) not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services;
- 4) wherever possible, ensure that another adult is present when working near children;
- 5) not invite unaccompanied children into private residences, unless they are at immediate risk of injury or in physical danger;
- 6) not sleep close to unsupervised children and where overnight activities with children and young people occur, I will ensure that another adult is present (unless I have the permission of the parent or guardian of the child or young person) (I note this does not apply to my own children);
- 7) never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium;
- 8) not use physical punishment on children;
- 9) not hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- 10) comply with all relevant Australian and local legislation, including labour laws in relation to child labour;
- 11) immediately report concerns or allegations of child exploitation and abuse and policy non- compliance in accordance with appropriate procedures;
- 12) immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during my association with the NRL;
- 13) be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse;
- 14) note that these behaviours are not intended to interfere with normal family interactions;
- 15) provide a welcoming, inclusive and safe environment for all children, young people, other staff and community members;
- 16) act in the best interests of children and young people at all times and be a positive role model for them in the community;
- 17) act within the rules and spirit of rugby league and encourage and support opportunities for children and young people to learn appropriate behaviours and skills;
- 18) respect the decisions of officials, coaches and administrators;
- 19) not engage in behaviour to shame, humiliate, embarrass or degrade a child or young person, or emotionally abuse a child or young person;
- 20) be aware of my position of authority as a representative of the NRL;
- 21) not engage in intimate relationships with a child or young person participating in the NRL Pacific Program even when he/she is over the age of 18 years of

- age;
- 22) always maintain control when working with children and not lose my temper or bully any children or young people;
 - 23) not use or be under the influence of alcohol or drugs whilst working with children, or smoke in the presence of children;

Additional commitments and responsibilities from Coaches:

- 1) I will give verbal instructions first and keep physical contact to a minimum;
- 2) I will ask the players permission first before undertaking any physical contact;
- 3) I will clearly explain what I am going to do and why; and
- 4) I will demonstrate the skill in a public place wherever possible.

When photographing or filming a child or using children's images for work-related purposes, I must:

- 1) take care to ensure local traditions and/or restrictions for reproducing personal images are adhered to before photographing or filming a child;
- 2) obtain informed consent from the child or young person and their parent or guardian before photographing or filming a child or young person. An explanation of how the photograph or film will be used will be provided the child or young person and their parent or guardian;
- 3) ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner;
- 4) ensure children and young people are adequately clothed and not in poses that could be seen as sexually suggestive;
- 5) ensure images are honest representations of the context and the facts; and
- 6) ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I confirm that I have read and understood NRL's Pacific Program Child Protection Policy and NRL Pacific Program Code of Conduct.

I agree to comply with the NRL's Pacific Program Child Protection Policy and NRL Pacific Program Code of Conduct.

I understand that a breach of the Policy or Code may provide grounds for my employment with the NRL Pacific Program to be terminated. I also understand that a breach of the Policy or Code of Conduct could result in criminal prosecution.

I understand that it is my responsibility, as a person engaged by the NRL's Pacific Program, to use common sense and avoid actions or behaviours that are abusive or exploitative of children or young people or could be construed as such.

I authorise the NRL Pacific Program to undertake necessary inquiries, including criminal record checks (police checks) and reference checks, as part of my appointment or recruitment process. I understand that this information may be passed to NRL Pacific Program funding bodies, including Australia's Department of Foreign Affairs and Trade (DFAT).

I confirm my willingness to participate in NRL Pacific Program training sessions on child protection.

Name:

Position:

Signed:

Date: