

# SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY



## OVERVIEW

NZ Football (NZF) is committed to providing a safe and enjoyable football environment for all participants, and recognises its responsibility to lead and encourage safe practices to ensure the welfare and best interests of children and vulnerable adults.

This policy provides a framework to ensure that children and vulnerable adults are safeguarded in the delivery of football. It covers the requirements and process for safety checking, the process for dealing with an “adverse” police vetting result, and the process to be followed if abuse is suspected, or if an allegation of abuse is made against a staff member. It should be read in conjunction with the [Guidelines for Safeguarding Children & Vulnerable Adults](#).

## SCOPE

This policy applies to all NZF employees, contractors, interns and volunteers (“NZF staff”) who may come into contact with children or vulnerable adults in the course of their duties.

NZF strongly recommends that Federations, football clubs and other football service providers involved in the delivery of football in New Zealand adopt similar policies. To facilitate this NZF has developed a centralised police vetting service (NZF Police Vetting System) and will cover the vetting costs of providing this service to clubs and other football service providers.

For clubs and other football service providers who choose to use the NZF Police Vetting System the process outlined below for reviewing the vetting result and the appeals process will apply. Refer to the Guidelines for Safeguarding Children & Vulnerable Adults for access to the System.

## GUIDELINES

### Background

NZF considers that the safeguarding of children and vulnerable adults is everyone’s responsibility. Although sports organisations are not contractually bound by the requirements of the Children’s Act 2014, NZF has elected to adopt a high level of accountability and to align its policy with the requirements of the Act. This means that NZF will ensure that NZF staff who work with children and vulnerable adults are aware of and abide by this policy.

### Definitions

For the purposes of this policy the following definitions are used:

- **Child:** a person under the age of 18
- **Vulnerable Adult:** a person with a mental or physical impairment that renders them unable to withdraw from the care or charge of another person
- **Contact:** physical contact, oral communication (either in person or by phone), or communication through any electronic medium, including by way of writing or visual images
- **Regular Contact:** at least once each week, or at least 4 days each month (other than merely incidental contact)
- **Safety checking:** the process of Screening and Vetting potential staff
- **Screening:** the process of collecting enough information to be satisfied, having assessed the risks, that an individual is safe to work with children or vulnerable adults

- Vetting: the process of obtaining a police vet through the NZ Police website.

### Protocols for Working with Children and Vulnerable Adults

All adults who work with children or vulnerable adults have a responsibility to safeguard and promote their welfare. The following protocols provide guidance to those working with children and vulnerable adults by outlining good practice and establishing boundaries in a range of situations. The intention of these protocols is to promote a safe and enjoyable football environment in which the likelihood of harm to a child or vulnerable adult is minimised.

- Activities should be appropriate for the age and development of the children or vulnerable adults
- Use positive and age-appropriate language when talking to or in the presence of children or vulnerable adults
- Create a safe and open environment that also reduces risk to staff and volunteers
- Never send children or vulnerable adults off to train unsupervised or out of sight
- Ensure all physical contact with children or vulnerable adults is relevant and appropriate to the activity
- Do not engage in any intimate, overfamiliar or sexual relationships with children or vulnerable adults
- Ensure that any filming or photography of children or vulnerable adults is appropriate; explain the purpose and gain the consent from parents/caregivers prior to commencement
- Obtain consent from parents/caregivers prior to publishing any photos of children or vulnerable adults
- Do not drink alcohol, smoke or use electronic cigarettes in the presence of children or vulnerable adults and never offer these to them
- Do not engage in communication with a child or vulnerable adult on a one-on-one basis through social media, texting or email, other than for relevant coach/athlete feedback or administration
- Do not intimidate, bully, humiliate, threaten or undermine a child or vulnerable adult
- Never shower, bathe or get changed in the same place as children or vulnerable adults
- If adults and children or vulnerable adults need to share a changing room, they must do so at different times
- Never invite children or vulnerable adults back to your home without their parent/caregiver
- If driving children or vulnerable adults, ensure there is another adult present or at least another child. If this is unavoidable, have the child sit in the back seat
- Always have another adult present when staying overnight anywhere with children or vulnerable adults
- Ensure that relationships with children and vulnerable adults take place within the boundaries of a respectful relationship

### Safety checking process when recruiting NZF staff

Before making any appointment, NZF will complete a robust safety checking process to ascertain the suitability and safety of potential NZF staff who may be required to work with children or vulnerable adults.

Specifically this means verifying their identity, gathering information about them through application forms, CVs, interviews, reference checks, confirming their qualifications (if relevant), and Police vetting. Refer to the Recruitment and Induction policy for further details about the recruitment process for NZF staff.

Police vetting will be carried out on any NZF staff who have (or may have) *regular or overnight contact* with a child or vulnerable adult. Generally this applies to those whose roles involve:

- Coaching
- Refereeing
- Provision of medical services (eg team doctor / physiotherapist)
- Team management or other team support services

Vetting is not necessary for people who assist on an occasional basis and do not have *regular or overnight contact* with children or vulnerable adults.

Ideally, staff members should be vetted before they commence their roles and a satisfactory police vetting result obtained (at the discretion of NZF); however due to tight recruitment timeframes there may be occasions where staff members can continue to perform their roles whilst a Police vet is being processed.

NZF recommends that this safety checking process is followed by all Federations, football clubs and football service providers.

### **Protocols when working with professional service providers**

When engaging a third party to provide professional services to NZF which may involve *regular or overnight* contact with children or vulnerable adults, it is the responsibility of the hiring manager to make the service provider aware of this policy and the safeguarding protocols outlined above.

The service provider must provide written confirmation that they agree to comply with the safeguarding protocols outlined in this policy, that they have safety-checked their employees and/or sub-contractors who will be working on behalf of NZF, and that they have police vetted any employee and/or sub-contractor who has (or may have) *regular or overnight* contact with a child or vulnerable adult on behalf of NZF. The hiring manager must not permit third party workers to work with children or vulnerable adults until such time as this written confirmation has been provided (at the discretion of NZF).

### **Police Vetting process**

Police vetting will be managed for NZF staff individually by the NZF HR Manager as part of the recruitment process.

Individuals being vetted from clubs and other football service providers will access the NZF Police Vetting System via a link in the Guidelines for Safeguarding Children & Vulnerable Adults. They will initially view a training module and complete an online vetting form. They will then provide their identification documents to the Safeguarding Officer at their club or football service provider, who will record on the system that the ID has been viewed. Vetting cannot progress until ID documents have been verified.

The NZ Police Vetting service includes the option (if relevant) to obtain an Australian National Police History Check in addition to NZ vetting; however this option is not available through the NZF Police Vetting System and would need to be obtained manually by the NZF HR Manager if required.

### **Vetting Result – NZF Staff**

Vetting results for NZF staff will be processed by the NZF HR Manager and any information released will be reviewed by the NZF HR Manager and relevant SMT Manager to determine what, if any, further action may be deemed appropriate. If the decision is made that an individual cannot be employed or contracted due to their vetting result then they will be advised of this fact and also be advised of their right to appeal (see 'Appeals Process' below). The NZF CEO will also be informed.

**Vetting Result – clubs and other football service providers**

Vetting results for clubs and other football service providers will be available to be viewed via the NZF Police Vetting System, normally within 20 working days. The NZF Safeguarding Manager will check and update the system regularly.

The vetting result will either declare that (1) it is “Released - no result” (2) it is “Under Review” or (3) it is “Released with Results”.

1. If the result is “Released – no result”, NZF will update the NZF Police Vetting System to show the individual’s status as “Confirmed”, meaning that there are no concerns as to the person being suitable to work with children or vulnerable adults. This will be visible to the club or football service provider Safeguarding Officer and no further action is required.
2. If the result is “Under Review” it means that the information held by Police is insufficient to make a decision on what information should be released. There will be a delay whilst the Police investigate further and the NZF Police Vetting system will continue to display “Submitted” until a result is released. The instance of a delay should not be taken to mean that there are necessarily any concerns about the individual.
3. If the result is “Released with Results” it means that the police have raised a concern, and it will not be uploaded to the NZF Police Vetting System at this point. Information released may include:
  - criminal conviction history
  - information on active charges and warrants to arrest
  - driving demerit points or licence suspension
  - any interaction with Police, including as a victim, even if there have not been charges, charges have been withdrawn or dismissed, or if the person has been acquitted of a charge
  - any other relevant information received or obtained by the NZ Police

The information will be passed to NZF’s “Review Panel” consisting of the NZF Safeguarding Manager and the Federation Safeguarding Advisor; however NZF reserves the right to determine the final composition of the Panel. The purpose of the Review Panel is to decide whether an individual should continue in their role, with the safety of children and vulnerable adults being the paramount consideration. The decision must be unanimous and any actual or potential conflicts of interest must be declared. The existence of a conviction or other adverse information will not necessarily mean that the individual should not be employed/contracted/able to volunteer; however, a conviction for any of the following offences would automatically disqualify them:

- Murder
- Sexual offences
- Indecency offences resulting in imprisonment
- Kidnapping
- Offences connected with child prostitution
- Possession or publication of child pornography
- Assault and/or violence and/or harassment towards a child or vulnerable adult
- Recidivist drink-driving resulting in imprisonment
- Possession of drugs for supply resulting in imprisonment
- Any other serious offence resulting in imprisonment

If the Review Panel decides that the individual can continue in their role, the vetting result in the NZF Police Vetting System will be updated to “Confirmed” and will be visible to the Safeguarding Officer at the club or other football service provider. No further action is needed.

If the Review Panel decides that it is not appropriate for the individual to continue, the NZF Safeguarding Manager will contact them to advise them that the Panel has decided that it is not appropriate for them to continue and they will be asked to step down from their role with immediate effect. They will be given a copy of the vetting result and informed of their right to appeal the decision. The NZF Safeguarding Manager will ask the relevant Federation CEO, club chair or football service provider CEO to take all reasonable steps to ensure that the person has stepped down; however they will not be provided with any detail of the offence.

### **The Appeals Process**

The appeals process is as follows:

1. The individual is required to write to NZF within 7 days of being informed by the NZF Safeguarding Manager that they are to step down, providing reasons and details as to why they should be allowed to continue in their role and providing any relevant documentation. For example, they may provide letters of support from their club or a person of good standing in the local community.
2. A 2-person “Appeals Panel” will consider whether to uphold the appeal or not, with the safety of children and vulnerable adults being the paramount consideration. The Panel will meet as soon as is practical, aiming to convene within 3 working days of receipt of the appeal. At this point the Appeals Panel may be able to make a final decision or may request more information from the individual or other sources. As with the Review Panel, any decision must be unanimous, and any actual or potential conflicts of interest must be declared.

The first choice for the Appeals Panel will comprise the following:

- For NZF staff: The GM People & Finance and the CEO
- For clubs and other football service providers: The GM Football and either the relevant Federation CEO or club Chair/other football service provider CEO.

NZF reserves the right to determine the final composition of this Panel.

If the appeal is successful, the individual will be contacted by NZF, advising them that as a result of the appeals process they can return immediately to their role. For clubs and other football service providers the vetting result in the NZF Police Vetting System will be updated to “Confirmed” and will be visible to the Safeguarding Officer at the club or football service provider. No further action is needed.

If the appeal is unsuccessful, the individual will be contacted by NZF to advise them of the result and they will be asked to stand down indefinitely. For non-NZF staff, NZF will ask the relevant Federation CEO / club Chair / football service provider CEO to ensure that the person has stepped down.

NZF acknowledges that throughout the Police Vetting and appeals process it has a duty of care to protect the personal information of those being vetted, and to act upon any information which it receives that may indicate that

children and vulnerable adults are at risk. All information will be treated confidentially and in line with [NZF's Privacy policy](#).

Police vetting will be repeated for NZF staff every three years, and NZF recommends that the same process be followed by Federations, football clubs and football service providers.

### **Education and Training of staff**

NZF will ensure that staff are trained in the requirements of this policy, particularly the protocols around what constitutes inappropriate or unacceptable behaviour. Education of staff will include the identification of risk situations where there is the potential for abuse or allegations of abuse to occur, as well as the procedure for reporting actual abuse or concerns of abuse. Training will also be provided to Federation Safeguarding Advisors and club and football service provider Safeguarding Officers.

### **Responsibilities of Staff if abuse is suspected**

NZF will respond to allegations of suspected child or vulnerable adult abuse in a manner which ensures the child's or vulnerable adult's safety is the first and paramount consideration.

Most abuse is disclosed accidentally or through observation by an adult of a child's or vulnerable adult's behaviour, words and/or physical appearance. It is important that the child or vulnerable adult is listened to and reassured. Staff members should not attempt to conduct their own investigation, or deal with concerns of abuse themselves. Refer to the Guidelines for Safeguarding Children & Vulnerable Adults for recommended steps to follow if abuse is suspected.

All NZF staff members must report concerns or allegations of child or vulnerable adult abuse to the NZF Safeguarding Manager at the first possible opportunity to best ensure the safety of the child or vulnerable adult. If the NZF Safeguarding Manager is unavailable, then consultation should occur with the GM People & Finance or the CEO.

Any concerns or allegations of child or vulnerable adult abuse within Federations, clubs and football service providers must be reported to the designated Safeguarding Advisor at the relevant Federation.

All concerns or allegations of sexual abuse, or if an immediate response is required to ensure the child's or vulnerable adult's safety should be reported immediately to the NZ Police.

### **Managing allegations against NZF staff members**

If NZF receives any allegation that an NZF staff member has behaved in an inappropriate or unsafe way towards a child or vulnerable adult it will be taken seriously and handled in an appropriate manner that ensures the child's or vulnerable adult's safety first and foremost. The HR Manager, GM People & Finance and the NZF CEO must be advised of the allegation against the staff member, and a report of concern will be made to the NZ Police. It is important to respect the privacy of the alleged abuser whilst any Police investigation is being carried out to ensure that a fair process is followed.

**Note:** there is a difference between a criminal investigation and an employment matter. If the NZ Police decide to undertake a criminal investigation then the member of staff may be suspended whilst this is under way. It is important that no internal investigation is undertaken, and no evidence is gathered that might prejudice the criminal investigation.

If the Police do not pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken, subject to normal disciplinary procedures. Refer to the Disciplinary policy for further details.

RELATED DOCUMENTS	
POLICY:	Privacy Policy Disciplinary Policy Recruitment & Induction Policy
LEGISLATION:	Children's Act 2014 Privacy Act 2020
FORMS AND TEMPLATES:	<a href="#">Guidelines for Safeguarding Children &amp; Vulnerable Adults</a> <a href="#">NZF Police Vetting System</a>

POLICY OWNER	HR
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