



# TENNIS AUSTRALIA SAFEGUARDING CHILDREN CODE OF CONDUCT

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# Tennis Australia Safeguarding Children Code of Conduct

## 1. Purpose

- 1.1. As outlined in the Tennis Australia Member Protection Policy (**MPP**), Tennis Australia (**TA**) and all Australian Tennis Organisations (**ATOs**) aim to provide children and young people with a welcoming, safe and inclusive tennis experience and an environment that promotes their physical, social and emotional wellbeing consistent with the National Principles for Child Safe Organisations.
- 1.2. The aim of this Safeguarding Children Code of Conduct (**the Safeguarding Children Code**) is to protect the safety of children and young people in an ATO's care and prevent abuse from occurring. If allegations are raised in relation to child abuse or breaches of this Safeguarding Children Code, TA and ATOs will ensure that the allegations are taken seriously and addressed properly with the child's safety, welfare and wellbeing at the centre of the response. This Safeguarding Children Code is part of TA's framework of ensuring a culture of child safety and protection exists within all levels of tennis in Australia.
- 1.3. TA and all ATOs are committed to safeguarding children and young people in our community. TA and all ATOs strive to ensure that children and young people feel safe and are protected from harm. Accordingly, TA expects all Personnel (see definition in paragraph 3) to strive for the highest possible standards with respect to safeguarding children and young people. TA has developed this Safeguarding Children Code to identify, and prevent, behaviour that may be harmful to the children and young people in our community.
- 1.4. The Safeguarding Children Code has been developed to assist those individuals bound by the MPP to ensure the highest possible standards of conduct when interacting with children and young people. This Safeguarding Children Code has been formally approved and endorsed by the TA Board and each Member Association (**MA**) Board.
- 1.5. This Safeguarding Children Code is to be read and considered in conjunction with:
  - (a) all applicable laws within your respective state / territory in relation to protecting children (and, if working abroad for an ATO, all applicable laws within that jurisdiction);
  - (b) the National Principles for Child Safe Organisations
  - (c) the specific requirements of your role as defined in your 'position description' statement;
  - (d) all relevant policy and procedure documents, including other TA National Policies; and
  - (e) general community expectations in relation to appropriate behaviour concerning children and young people.
- 1.6. If anything in this Safeguarding Children Code is inconsistent with any relevant Federal, State or Territory law, the relevant Federal, State or Territory law prevails to the extent of the inconsistency.

## 2. Policy statement

- 2.1. TA and all ATOs are committed to safeguarding and promoting the welfare of children and young people by ensuring everyone involved in tennis is aware of their rights and responsibilities in relation to children. This includes providing a safe and inclusive environment for children and young people, and delivering ATO activities with the best interests, safety and wellbeing of children and young people as a priority.
- 2.2. Specifically, TA and all ATOs consider that the health, safety and wellbeing of children and young people takes priority over all other competing considerations. TA and all ATOs consider that this is necessary to safeguard children and will help in protecting the image and reputation of the sport, TA and all ATOs.
- 2.3. TA has a zero-tolerance approach to harm, abuse and/or neglect of a child in any form. All children and young people have equal rights to protection from harm, abuse, and/or neglect, regardless of their sex, religion, disability or sexual orientation.
- 2.4. Safeguarding children and young people is a shared responsibility between all tennis stakeholders including TA, all ATOs, and their employees, workers, contractors, associates, parents/guardians, coaches, officials, tournament directors, administrators, spectators, volunteers and all members of the Tennis community. Everyone that participates in TA's (or an ATO's) activities is responsible for the care and protection of children, and reporting information about child abuse.
- 2.5. TA and all ATOs support the active participation of all children and young people in tennis-related activities. TA and all ATOs will listen to their views, respect what they say and involve them in making decisions, where appropriate, especially about matters that will directly affect children and young people (including their safety).
- 2.6. TA is committed to the safety of, and pays particular attention to the needs of, Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

## 3. Application

- 3.1. This Safeguarding Children Code applies to all people who are bound by the MPP irrespective of whether they are remunerated or not, their role and their level of responsibility (hereafter referred to as **Personnel**).
- 3.2. For ease of reference Personnel includes:
  - (a) persons and administrators appointed or elected to boards of directors, executives and/or committees (including sub-committees) of ATOs and office bearers of ATOs such as presidents, vice-presidents, treasurers, secretaries and selectors;
  - (b) employees of ATOs (whether engaged as full time, part time or casual staff), volunteers of ATOs, and contractors of ATOs;
  - (c) persons appointed or elected by an ATO in relation to players and/or teams which represent such organisations including team management and/or support personnel (including managers, physiotherapists, and dietitians);
  - (d) tennis coaches (including assistant coaches) who:

- i. provide tennis coaching services to an ATO, and/or are appointed and/or employed by an ATO (whether paid or unpaid);
  - ii. are a TA coach member and/or are appointed by a TA coach member to deliver tennis coaching services on the TA coach member's behalf (whether paid or unpaid);
  - iii. are members of a coaching organisation (i.e. Tennis Coaches Australia or internationally recognised coaching associations); and/or
  - iv. have an agreement (whether or not in writing) with an ATO to coach tennis at a facility owned, occupied or managed by, or affiliated with, that ATO;
- (e) Officials including referees, court supervisors, chair umpires, lines people and other related tournament officials involved in the regulation of the game of tennis appointed by an ATO and/or any person who holds a TA officials membership;
- (f) tennis players who:
- i. enter any tournament, competition, activity or event (including camps and training sessions) being held or sanctioned by an ATO;
  - ii. are registered with a Regional Association and/or Affiliated Club as a player and/or member of that Regional Association and/or Affiliated Club;
- (g) any other person who is a user of an ATO (including a spectator, or attendee, at an ATO for tennis-related purposes);
- (h) any other person who is a member or affiliated to an ATO (including life member or service award holder);
- (i) any other person or entity (i.e. a parent/guardian or sponsor) who or which agrees (whether on a ticket, entry form or otherwise), to be bound by this Safeguarding Children Code or MPP; and
- (j) all Australian Tennis Organisations.
- 3.3. Personnel shall be deemed to be bound by and comply with this Safeguarding Children Code for a period of six months following the last time they were last captured by the application provision of this Safeguarding Children Code as set out in clause 3.2 above.
- 3.4. Notwithstanding clause 3.3, any Personnel who:
- (a) has had a complaint made against them under this Safeguarding Children Code;
  - (b) was bound by this Safeguarding Children Code at the time the complaint was made or when the alleged conduct relating to the complaint occurred; and
  - (c) would, for any reason, otherwise have ceased to be bound by this Safeguarding Children Code at any time after the complaint was made or when the alleged misconduct relating to the complaint occurred,

remains bound by this Safeguarding Children Code in respect of the complaint, and any related complaint, until the complaint process has been finalised in accordance with the MPP and/or this Safeguarding Children Code (as applicable).

## 4. Coverage

- 4.1. This Safeguarding Children Code applies to Personnel:
- (a) during any activity held or sanctioned by or under the auspices of TA, an MA, an Affiliated Organisation, a Member Affiliated Organisation, a Regional Association or an Affiliated Club;
  - (b) any time the Personnel is acting in the capacity of their respective role; and/or
  - (c) any time the Personnel is involved in tennis-related activity, including while online.
- 4.2. There may be exceptional situations where this Safeguarding Children Code does not apply (for example, in an emergency situation when CPR is required). However, Personnel are expected to seek (or make all reasonable attempts to seek) management's authorisation prior to taking action that contravenes the Safeguarding Children Code or advise management as soon possible after any incident in which the Safeguarding Children Code are breached.

## 5. Procedural Obligations

- 5.1. ATOs must:
- (a) adopt and comply with this Safeguarding Children Code;
  - (b) recognise and enforce any penalty imposed under this Safeguarding Children Code or the MPP, which may result from behaviour which contravenes those documents;
  - (c) publish, distribute and promote this Safeguarding Children Code (and any amendments made to it from time to time) to their members, in the manner required by TA or an MA and upon reasonable request make this Safeguarding Children Code available for inspection, or copying;
  - (d) make amendments to any internal policies or guidelines necessary for the Safeguarding Children Code to be implemented;
  - (e) ensure that its members adopt this Safeguarding Children Code (e.g. the MA imposes the Safeguarding Children Code on its Affiliated Clubs, and the Affiliated Clubs in turn impose it on their individual members); and
  - (f) For TA and MAs only: develop and implement a plan to facilitate awareness and education in relation to this Safeguarding Children Code.
- 5.2. Personnel are expected to:
- (a) support the safety, welfare and wellbeing of children and young people;
  - (b) understand the rights of children and young people, and inform them about their rights;
  - (c) respect the cultural and religious practices of families who access TA's or another ATO's services, programs or events;

- (d) understand, support and appropriately respond to children and young people's diverse needs, including children's developmental delays or disabilities;
  - (e) take seriously, appropriately act on and respond to any concerns raised by children and young people in a child focused way;
  - (f) understand the definitions, indicators and impact of child abuse;
  - (g) know and follow regulations in relation to the care of children;
  - (h) co-operate with Police and/or other investigations to the best of their ability; and
  - (i) not harm or exploit children who access tennis services.
- 5.3. Personnel, where practical as part of their role, are expected to ensure that child safety, welfare and wellbeing is embedded in organisational leadership governance and culture of their ATO.
- 5.4. In addition to complying with the requirements of this Safeguarding Children Code, an ATO should:
- (a) undertake screening measures as described in the MPP; or
  - (b) report any concerns or allegations of conduct that may amount to a breach of this Safeguarding Children Code.

## 6. Relationship between this Safeguarding Children Code and other TA National Policies

- 6.1. This Safeguarding Children Code operates in conjunction with all of TA National Policies, including the MPP. If there is conduct which may amount to a breach of this Safeguarding Children Code and another TA National Policy, action may be taken under this Safeguarding Children Code and/or any other applicable TA National Policy.
- 6.2. Nothing in this Safeguarding Children Code overrules or supersedes any part of the MPP, any laws of the Commonwealth or any State of Territory or the National Principles of Child Safe Organisations. This Safeguarding Children Code is intended to support and strengthen the safeguarding children framework within the sport of tennis.
- 6.3. It is important to note that the MPP sets out important screening requirements for ATOs as well as a number of other offences which may relate to children and young people.

## 7. What is Child Abuse?

- 7.1. Child Abuse is defined under clause 8.13 of the MPP. Any report or allegation of Child Abuse will be treated with the utmost importance and sensitivity in a child focused way.
- 7.2. For ease of reference, the forms of Child Abuse in the MPP are replicated below. In particular:
- (a) *Physical abuse* – abuse which occurs when a person subjects a child to non-accidental or reckless physical acts or contact, either directly or indirectly, without the child's consent. Physically abusive behaviour includes (but is not limited to) pushing, pulling, shoving, hitting,

slapping, shaking, throwing, punching, biting, burning, kicking, giving a child alcohol or drugs, or a harmful training method that exceeds the child's development or maturity;

- (b) *Sexual abuse* – abuse which occurs when a person involves a child in any unwanted or non-consensual sexual activity. It includes both contact and non-contact behaviour, and when a child is encouraged or forced to watch or engage in a sexual activity, or any other inappropriate conduct of a sexual nature. Examples include sexual intercourse, masturbation, kissing or fondling, oral sex, making sexual comments, engaging a person in sexual conversations in-person or online, voyeurism (i.e. observing a child in an action that is considered to be of a private nature, such as undressing in a change room), nudity (i.e. an abuser exposing themselves or another person) touching a child's genitals or breasts, encouraging a child to view pornography or other inappropriate touching or conversations;
- (c) *Emotional abuse and/or Psychological abuse* – abuse which occurs when a person intentionally or recklessly engages in behaviours that threaten, manipulate, control, or demean a child's emotions, thoughts, or self-worth. Often there is a pattern of emotional or psychological abuse, however a single incident could also occur. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts, taunting, sarcasm, yelling, negative criticism, placing unrealistic expectations on a person or continual coldness from any person, to an extent that results in significant harm and/or trauma to the child's physical, intellectual or emotional wellbeing and development;
- (d) *Neglect* – abuse involving the persistent failure or deliberate denial by a person in a position of responsibility to provide a child with the necessary care and support required for their welfare, wellbeing and safety. For example, failing to give adequate food, clean water, adequate supervision, medical attention, shelter, clothing or to protect a child from danger or foreseeable risk of harm or injury;
- (e) *Abuse of Power* – a term used to describe the misuse of power, influence, authority or control that a perpetrator holds over a child or young person. For example, relationships that involve a power disparity such as a coach-player, adult-child, manager-player, employer-employee, doctor-patient have the potential for abuse of that power. People in such positions of power need to be particularly wary not to exploit that power, particularly around children and young people;
- (f) *Grooming* – a term used to describe what happens when a perpetrator, typically in a position of trust or authority, builds an inappropriate relationship with a child with the intention of gaining their trust, emotional connection and/or loyalty, for the purposes of sexual abuse. Grooming behaviour is used by the perpetrator to create an environment conducive to abuse, by manipulating and/or preparing the victim for potential sexual abuse, or other forms of harm. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. For example, it may only involve establishing an inappropriate relationship with the child, parent or guardian (e.g. giving special attention, providing favours, encouraging secrets and giving gifts) for the purpose of facilitating sexual activity at a later time; and
- (g) *Family and Domestic violence* – refers to any form of abusive behaviour or violence occurring within familial or domestic relationships, including parent-child relationships, members of a family or those fulfilling the role of family in a person's life. It can include witnessing violence or the consequences of violence. Exposure to family and domestic violence places people, in particular, children at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.



## 8. Offences under this Safeguarding Children Code

- 8.1. In addition to Child Abuse, Personnel commit a breach of this Safeguarding Children Code when they, either alone or in conjunction with another or others, engage in any of the following conduct against, or in relation to, a child or children:
- (a) do not comply with the requirements set out in clause 5.4;
  - (b) continue in a child-related position if they have been charged or convicted of a crime that would make them ineligible to be granted a WWCC; or
  - (c) do not comply with the behavioural standards that are applicable to Personnel as set out in Section 11.

## 9. Recognising and reporting breaches of the Safeguarding Children Code and Child Abuse

- 9.1. If Personnel are concerned that conduct may amount to Child Abuse or a breach of this Safeguarding Children Code, they should speak up.
- 9.2. More detail on the avenues and procedures of reporting concerns are set out in the following paragraphs.

### Reporting breaches of this Safeguarding Children Code

- 9.3. If Personnel are concerned that there has been conduct which breaches or contravenes this Safeguarding Children Code, the reporting procedures outlined in the MPP should be followed.
- 9.4. For ease of reference, the reporting mechanisms in the MPP are replicated below. In particular, concerns can be reported via:
- (a) an MPIO of an ATO;
  - (b) the President, or in their absence the nominee, of the relevant Affiliated Organisation, Regional Association or Affiliated Club (as the case may be);
  - (c) the TA Integrity and Compliance Unit (**TAICU**) via [integrity@tennis.com.au](mailto:integrity@tennis.com.au); or
  - (d) TA's Whistle-Blower Service - Stopline. Stopline can be contacted via their [website](#) or via their hotline 1800 11 SAFE (1800 11 7233),
- (in each case, a **Complaint Recipient**).
- 9.5. Following receipt of the Complaint, the Complaint Recipient must register the Complaint with the TAICU through TA's online Complaint Management System (**CMS**) or by sending the Complaint to [integrity@tennis.com.au](mailto:integrity@tennis.com.au).
- 9.6. A Complaint must be reported within 14 days of the alleged breach of this Safeguarding Children Code. However, the TAICU may extend or waive this requirement where it is of the reasonable belief that the circumstances warrant such action. Accordingly, all Complaint Recipients must lodge any report received in the CMS regardless of when the alleged conduct occurred.

- 9.7. An alleged breach of the behavioural standards as set out in Section 11 of this Safeguarding Children Code may also be considered a breach of the MPP. As such, an alleged breach of this Safeguarding Children Code will be managed in accordance with the Complaint Handling Procedure set out in Part IV of the MPP. The alleged breach may be investigated and dealt with in accordance with either Section 12 – Category A of the MPP or Section 13 – Category B of the MPP depending on the categorisation of the alleged breach made by the Nominated Official pursuant to Section 11 of the MPP.

### Reporting Child Abuse

- 9.8. Personnel must notify the TAICU and the Police and/or the relevant state/territory government agency (See ATTACHMENT C of the MPP - Information for Reporting Allegations of Child Abuse & ATTACHMENT D of the MPP - State/Territory government agency contact details to report alleged Child Abuse) if:
- (a) Personnel suspect or have been provided with information that indicates Child Abuse has, may have and/or is likely to occur; or
  - (b) An allegation of Child Abuse has been made to Personnel.
- 9.9. For the avoidance of doubt, Personnel must notify if:
- (a) a child or young person states that they have been abused;
  - (b) a child or young person states that they know someone who has been abused (sometimes the child may be talking about themselves);
  - (c) someone who knows a child or young person states that the child or young person has been abused;
  - (d) professional observations of the child's behaviour or development leads a professional to form a belief that the child has been abused or is likely to be abused; or
  - (e) signs of abuse lead to a reasonable suspicion that a child or young person has been abused.
- 9.10. If a person is concerned about an immediate risk to a child or young person's safety, the person must phone emergency services by dialing "000" (triple zero) as soon as practicable.
- 9.11. If in any doubt about whether to contact the Police and/or a relevant government agency, please contact the TAICU at [integrity@tennis.com.au](mailto:integrity@tennis.com.au). The TAICU will assist you to determine whether the matter should be referred to the Police and/or a relevant government agency and/or will assist Personnel with notifying Police and relevant government agencies. Under relevant state / territory laws, a failure to report any reasonable suspicion or knowledge of Child Abuse or the risk of Child Abuse could result in criminal proceedings.

## **10. Approach to reports of Child Abuse**

- 10.1. TA will take any allegation relating to a child seriously, listen to, believe and support the child or young person, and address those allegations with the child's safety, welfare and wellbeing at the centre of the response.

- 10.2. TA supports and encourages Personnel to make a report to the Police and/or the relevant government agency if they form a suspicion on reasonable grounds that a child is in need of protection, or they have a concern relating to Child Abuse.
- 10.3. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) under this Safeguarding Children Code will be supported by TA.
- 10.4. If an allegation is made against an ATO's member of staff or a volunteer, TA will take all steps to ensure that the safety of the child is paramount. An initial step may involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children and young people, working from home, or any other measures deemed appropriate by TA depending on the gravity of the allegation and other relevant information available.
- 10.5. Allegations of inappropriate conduct against a child or young person will be investigated in a confidential manner to the greatest extent possible.
- 10.6. TA will cooperate with the directions of the Police and/or any relevant authority in relation to any investigation conducted by these authorities. Any investigation or procedures set out in this Safeguarding Children Code may be suspended whilst a Police investigation is ongoing.

## 11. Behavioural Standards

The Safeguarding Children Code address the major areas where Personnel interact with children and young people who take part in tennis in Australia. The Safeguarding Children Code has been developed to provide clear guidance to all Personnel in relation to the treatment of children and young people within tennis. It is designed to ensure the safety, welfare and wellbeing of children and young people and to protect them from abuse and neglect. Acting in accordance with the Safeguarding Children Code not only protects children and young people but also supports Personnel by providing standards of care that are clear, transparent and practical.

### 11.1. Sexual misconduct

Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of, children participating in any of our tennis-related services, programs or events.

Engaging in sexual behaviour while participating or delivering in tennis-related services, programs or events is prohibited, whether consensual or not, and even if the person involved is above the legal age of consent.

This is because the relationship is formed under circumstances of authority and power. Sexual behaviour, involving one person who is in a position of authority, whether consensual or not, may be exploitative because there is a disparity in authority, maturity, status, influence and/or dependence.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- (a) 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution; and
- (b) 'non-contact behaviour', such as flirting, sexual innuendo (including in humour), inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

## 11.2. Bullying

Personnel are not to bully a child. Bullying means when a person or group of people repeatedly and intentionally use words or actions, or inappropriately use power, against a child or a group that involves children and causes distress and risk to their wellbeing, whether in person or online.

Examples of Bullying include behaviour of a nature and level of seriousness such as, but are not limited to, repeatedly:

- (a) making rude gestures, calling names, being rude, constantly negative and teasing;
- (b) spreading rumours or lies, or misrepresenting a child; and
- (c) taking advantage of any power over a child.

## 11.3. Positive guidance

TA and all ATOs require Personnel to use strategies that are fair, respectful, and appropriate to the developmental stage of the children and young people involved. Children and young people need to be provided with a clear direction of the acceptable expectations of their behaviour, and given an opportunity to redirect their misbehaviour in a positive manner.

Under no circumstances are Personnel to take disciplinary action involving physical punishment, verbal abuse or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

## 11.4. Adhering to professional boundaries

All Personnel, particularly when in a position of authority, must establish and maintain professional boundaries when working with children in our tennis environment. Personnel must ensure that any contact with children is acceptable and appropriate. Acceptable and appropriate boundaries include the following:

- (a) not engaging directly in activities with children who are clients or members of an ATO outside authorised tennis services, programs or events;
- (b) not providing any form of support to a child or their family, unrelated to tennis services, programs or events that would be considered to be outside normal community expectations or behaviours; and
- (c) not seeking contact with children (or former participants) outside tennis services, programs or events.

If any Personnel become aware of a situation in which a child requires assistance that is beyond the confines of that person's role, or beyond the scope of an ATO's usual service, they should at the earliest opportunity:

- i. contact the child's parent or guardian;
- ii. refer the matter to an appropriate support agency (See ATTACHMENT C - Information for Reporting Allegations of Child Abuse of the MPP);
- iii. refer the child to an appropriate support agency; and/or

- iv. seek advice from TAICU, management and/or Member Protection Information Officer.

#### 11.5. Uniform or identity card/pass/badge

Personnel should only wear their uniform and identification while involved in delivering service or as required by an ATO, such as when representing an ATO at designated functions, to and from work. This enables a child to identify a person of authority who they can approach in times of need.

#### 11.6. Use of language and tone of voice

Language and tone of voice used in the presence of children should:

- (a) provide clear direction, boost their confidence, encourage or affirm them; and
- (b) not be harmful to children – in this respect, avoid language that is:
  - (i) discriminatory, racist or sexist;
  - (ii) derogatory, belittling or negative, for example, by calling a child a ‘loser’ or telling them they are ‘too fat’;
  - (iii) intended to threaten or frighten; or
  - (iv) profane or sexual.

#### 11.7. Supervision

Personnel are responsible for adequately supervising the children to which an ATO provides tennis services, programs or events to ensure those participants:

- (a) engage positively with our tennis services, programs or events;
- (b) behave appropriately toward one another; and
- (c) are in a safe environment and are protected from external threats.

Personnel are required to avoid one-to-one unsupervised situations with children to whom they provide services, and (where possible) to conduct all activities and/or discussions with service recipients in view of other Personnel.

#### 11.8. Use of electronic communication

All Personnel are required to follow both the TA Social Media Policy and TA Online Systems Terms and Conditions.

TA and all ATOs acknowledge the emergence of new technology and communication media and the benefits that such new technology can offer to all ATOs and Personnel. For example, being able to use online and other programs to manage scheduling, teams and competitions.

However, these new technologies also present a fundamental risk to child safety, particularly where electronic messaging platforms can be used to groom, or make inappropriate and unsupervised contact with children. Accordingly, Personnel should at all times adhere to the Safeguarding Children Code when using electronic communication.

All Personnel, unless they are a Medical Practitioner or Health Professional and with a genuine medical purpose, should avoid communicating directly with a child either electronically or online, without the inclusion of that child's parent, guardian, and/or carer.

When communicating with children, Personnel must:

- (a) restrict such communication to issues directly associated with delivering our tennis services, programs or events, such as advising that a scheduled event is cancelled;
- (b) limit the personal or social content in such communications to what is required to convey the service-related message in a polite, friendly manner. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature;
- (c) not use such communication to promote unauthorised 'social' activity or to arrange unauthorised contact;
- (d) not request a child or young person to keep a communication secret from their parents; and
- (e) not communicate with children and young people using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging from personal profiles or accounts.

Personnel are required to ensure appropriate monitoring of children when they use TA's electronic communication equipment to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or through web searches, or inappropriate email communication.

#### 11.9. Giving Gifts

TA and all ATOs prohibit Personnel from giving gifts to children except under the following circumstance:

- (a) the value of the gift does not exceed \$25, and
- (b) the child's parent(s) and/or guardian(s) have been made aware of the gift and consented to it being given.

#### 11.10. Photographs or video recordings of children

Personnel are reminded that at all times they must act in accordance with any applicable laws or regulations within their state or territory relating to the capture, storage and dissemination of photographs or video recording of children.

As such, the following applies:

- (a) Children and young people must only be photographed by Personnel:
  - (i) while involved in tennis-related services, programs or events; and
  - (ii) only if:
    - A. the child's parent/guardian has granted prior and specific approval;

- B. the context is directly related to participation in our tennis services, programs or events;
  - C. the child consents and is appropriately dressed and posed; and
  - D. where possible, the image is taken in the presence of other Personnel.
- (b) Images are not to be distributed (including as an attachment to an email) to anyone outside the Personnel's ATO, other than the child photographed or their parent, without knowledge and approval.
  - (c) Personnel are expected to accept the wishes for a child or young person not to be photographed and put in place appropriate measures to ensure this does not happen.
  - (d) Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by other.
  - (e) Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.
  - (f) Images are not to be exhibited on a website, social media platform or any other publications without the relevant child's parent's and/or guardian's knowledge and approval, or such images must be presented in a manner that de-identifies the child. Any caption or accompanying text may need to be checked so that it does not identify a child if such identification is potentially detrimental.

For the avoidance of doubt, clause 11.10 does not prohibit parents from taking photos or videos solely of their own child.

#### 11.11. Physical contact with children

Any physical contact with children and young people must be appropriate in the context of delivering tennis-related services, programs or events, and based on the needs of the child rather than on the needs of our Personnel.

This section does not apply to medically trained Personnel acting in the course of their duties, and delivering medical or health services to children as and when required. Under no circumstances should any of our Personnel have contact with children participating in our tennis services, programs or events that:

- (a) involves touching of:
  - (i) genitals;
  - (ii) buttocks; or
  - (iii) breast area.
- (b) would appear to a reasonable observer to have a sexual connotation;
- (c) is intended to cause pain or distress to the child – for example corporal punishment;
- (d) is overly physical – for example, wrestling, horseplay, tickling or other roughhousing;

- (e) is unnecessary – for example, hugging or embracing when greeting or saying goodbye, assisting in stretching that could reasonably be done independently, or assisting with toileting when a child does not require assistance;
- (f) is initiated against the wishes of the child, except if such contact may be necessary to prevent injury to the child or to others, in which case:
  - (i) physical restraint should be a last resort;
  - (ii) the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child to prevent harm to themselves or others; and
  - (iii) the incident must be reported to management as soon as possible.

In accordance with clause 9.8, Personnel are required to report any physical contact initiated by a child that is sexual and/or inappropriate as soon as possible, to enable the situation to be managed in the interests of the safety of the child, Personnel and any other participants.

#### 11.12. Overnight stays and sleeping arrangements

Overnight stays are to occur only with the written authorisation of the parent(s)/guardian(s) of the children attending. Additionally, prior written authorisation must be sought from one of the following:

- TA Executive Member or designated staff member;
- MA Chief Executive Officer or delegate; or
- Affiliated Club's Committee or delegate.

Practices and behaviour by Personnel during an overnight stay must be consistent with the practices and behaviour expected during delivery of an ATO's tennis services, programs or events at other times.

Standards of conduct that must be observed by our Personnel during an overnight stay include:

- (a) providing children with privacy when toileting, bathing and dressing;
- (b) observing appropriate dress standards when children are present;
- (c) not allowing children to be exposed to pornographic or inappropriate material, which may include, movies, television, internet, magazines or any other form;
- (d) not leaving children under the supervision or protection of unauthorised persons such as hotel staff or friends;
- (e) not involving sleeping arrangements that may compromise the safety of children, such as an adult sleeping in the same room or bed as a child (unless they are that child's parent or guardian);
- (f) providing children with the ability to contact their parents, guardians, or others if they feel unsafe, uncomfortable or distressed during the stay and taking immediate steps to address any risks identified by the child; and
- (g) ensuring that on an overnight stay that:
  - (i) children only share hotel rooms or bedrooms with children of the same gender;



- (ii) children who are transgender are consulted on their choice of sleeping arrangements; and
- (iii) there are adequate chaperones and/or supervising Personnel present, and they have been adequately screened, briefed and trained.

#### 11.13. Change rooms

Personnel are required to supervise children in change rooms while balancing that requirement with a child's right to privacy. Personnel need to use their discretion based on the age, affirmed gender, developmental stage and needs of the child. In addition:

- (a) Personnel should avoid one-to-one situations with a child in a change room area;
- (b) Personnel are not permitted to dress or undress in the change room area while children (other than their own) are present;
- (c) Personnel need to ensure adequate supervision in 'public' change rooms when they are used;
- (d) Personnel need to provide the level of supervision reasonable for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's privacy;
- (e) female Personnel are not to enter male change rooms and male Personnel are not to enter female change rooms; and
- (f) Personnel should ensure that no filming or photography of children occurs in a change room.

#### 11.14. Alcohol and drugs

Personnel involved in delivering tennis services, programs and/or events involving children must not:

- (a) use, possess or be under the influence of an illegal drug;
- (b) consume or be under the influence of alcohol;
- (c) be incapacitated by any other legal drug such as prescription or over-the-counter drugs;
- (d) supply alcohol or drugs (including tobacco and vapes) to children and young people participating in our tennis services, programs or events; or
- (e) supply medicines, except with the consent of the parent, guardian, or carer of the child and under a valid prescription for that child and at the prescribed dosage.

Use of legal drugs by Personnel is permitted (except alcohol which is always banned), provided such use does not interfere with their ability to care for children involved in our services, programs and/or events.

### 11.15. Transporting children

Children and young people are to be transported only in circumstances that are directly related to the delivery of our tennis services, programs or events. Other than in an emergency, children are to be transported only with prior written authorisation from the child's parent/guardian and one of the following:

- TA Executive Member or designated staff member;
- MA Chief Executive Officer or delegate; or
- a member of the Affiliated Club's Committee or delegate.

To obtain approval Personnel should provide information about the proposed journey, including:

- (a) the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat;
- (b) details of any insurance and age of the driver (if applicable);
- (c) the reason for the journey;
- (d) the route to be followed, including any stops or side trips; and
- (e) details of anyone who will be present during the journey other than our Personnel who are involved in delivering our tennis services, programs or events.

When transporting children and young people, Personnel must drive responsibly, not be impaired by alcohol or any other substances, have a valid drivers' licence and, to the extent practicable, not be alone in the car with a child or young person.

### 11.16. Parent and/or Guardian Involvement

Parents and guardians should be involved in any significant decision and/or signing of documentation in relation to their child's involvement in tennis.

Parents and guardians are responsible for being aware of the standard of behaviour required when watching their child during training. Parents and guardians displaying inappropriate conduct may be asked to leave but may not be denied access for an undetermined amount of time.

## 12. Review and promotion

- 12.1. The Safeguarding Children Code will be reviewed on a regular basis. In addition to this regular review, recommendations for changes to the Safeguarding Children Code may be submitted to TAICU for consideration. In the event that changes are implemented, the Safeguarding Children Code will be updated via the TA website.
- 12.2. The Safeguarding Children Code will be made available to the general public on the TA website, and will be communicated to all Board and staff members of TA and all ATOs.

## 13. Contact

- 13.1. Should a person wish to make any enquiries in relation to the Safeguarding Children Code please contact TAICU at [Integrity@tennis.com.au](mailto:Integrity@tennis.com.au).

## 14. Definitions

Where a term stated below is also defined in the Member Protection Policy (**MPP**) that term will take its meaning from the MPP. These terms have been duplicated below for ease of reference.

**Affiliated Club(s)** means those tennis clubs, which are a member of, or affiliated to, a Regional Association and/or a Member Association.

**Affiliated Organisation(s)** means those organisations (other than Member Associations, Regional Associations and Affiliated Clubs) which are affiliated with Tennis Australia or a MA from time to time in accordance with the TA or MA constitution (as the case may be).

**Australian Tennis Organisation (ATO)** includes Member Associations, Affiliated Organisations, Regional Associations and Affiliated Clubs.

**Bullying** is as defined in clause 11.2.

**Child/ren** are any individuals under 18 years of age. It is acknowledged that persons under the age of 18 is a broad category of individuals and includes both younger children who do not have the maturity and understanding to make important decisions for themselves as well as older or more experienced children who are more likely to be able to make decisions for themselves. The latter category of children is distinguished by referring to the term “*young people*” where necessary in this Safeguarding Children Code. However, unless otherwise specified, a reference in this Safeguarding Children Code to a ‘child’ or ‘children’ is a reference to any individual under 18 years of age.

**Child Abuse** is as defined in Section 7.

**Emotional and/or Psychological Abuse** is as defined in clause 7.2(c).

**Family and Domestic Violence** is as defined in clause 7.2(g).

**Grooming** is as defined in clause 7.2(f).

**Member Association(s) (MA or MAs)** means members of Tennis Australia in accordance with its constitution.

**Member Protection Information Officer (MPIO)** means a person appointed in accordance with clause 3.2(a) of the Member Protection Policy, to act as the first point of contact for any enquiries, concerns or complaints around harassment, abuse and other inappropriate behaviour.

**Member Protection Policy (MPP)** means the Member Protection Policy published by Tennis Australia [here](#) from time to time.

**National Principles for Child Safe Organisations** means the principles that give effect to the recommendations of the Royal Commission relating to the child safe standards. They provide a nationally consistent approach to cultivating organisational cultures and practices that foster child safety and wellbeing. A copy of the National Principles for Child Safe Organisations can be downloaded [here](#).

**Neglect** is as defined in clause 7.2(d).

**Personnel** has the meaning set out in clause 3.2.

**Physical Abuse** is as defined in clause 7.2(a).

**Regional Associations** means those regional or metropolitan tennis associations which are members of, or affiliated to, a Member Association.

**Safeguarding Children Code of Conduct (Safeguarding Children Code)** means this safeguarding children and young people policy as issued by Tennis Australia from time to time.

**Sexual Abuse** is as defined in clause 7.2(b).

**TA National Policies** means the policies, rules and codes of conduct as listed on Tennis Australia's website [here](#).

**Tennis Australia (TA)** means Tennis Australia Limited (ABN 61 006 281 125) and its subsidiaries and affiliates, including, but not limited to, Padel Australia Limited.

**Working With Children Check** is an ongoing assessment by the relevant government agency of a person's eligibility to work with children, examining relevant sexual offences and serious physical and serious drug offences in a person's national criminal history and, where appropriate, their professional history.

## Version Control

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