



POLICY

Child Safety and Wellbeing

Policy statement

This Policy guides members and employees on how to behave when interacting and engaging with children in Marine Rescue NSW (MRNSW). The Policy focuses on building and maintaining a child-safe environment and promoting participation in the agreed National Principles for Child Safe Organisations (National Principles).

MRNSW supports the active participation of children aged 16 and 17 years of age and delivering MRNSW services or activities by allowing them to become Cadet Members. Members and employees who are responsible for 16 and 17 year old Cadet Members must be supported to effectively implement the organisation's child safety and wellbeing policy.

The Office of the Children's Guardian defines Cadet Members as co-workers to adult members. As a result, MRNSW adult members are not required to undertake a Working with Children Check. However, Child Safe Standards must be maintained when working with a Cadet Member. Accordingly, this Policy puts in place practical and common sense steps and arrangements in the management and training of Cadet Members to ensure they can engage in a safe environment.

While children cannot apply to become Cadet Members of MRNSW until they reach 16 years of age, children from the age of 12 can participate in the NSW Maritime General Boat and PWC licencing scheme at certain Units that provide marine training and examination for our members and the general public. The members delivering this training are required to have a Working with Children Check.

MRNSW is committed to building a culture that does not allow or tolerate child harm or abuse and protects children and young people by creating and maintaining behaviours and practices that are safe for children in keeping with MRNSW's values of service, teamwork, professionalism and respect,

MRNSW is committed to protecting and safeguarding children by:

- creating policies and procedures to protect children
- ensuring members and employees are aware of and comply with these policies and procedures
- creating conditions that reduce the likelihood of harm to children
- undertaking risk assessments of child safety-related risks
- managing child safety incidents effectively
- encouraging members and employees to report concerns regarding child-safety incidents
- follow the National Principles for Child Safe Organisations relevant to the operations of MRNSW.

The MRNSW Board fully endorses these commitments.

Legislative and policy context

This policy complies with, and is guided by the National Principles for Child Safe Organisations. National Principles for Child Safe Organisations provide guidance on promoting inclusive and welcoming environments for children and young people, a culture of accountability and how a child safe culture is developed and maintained as follows:

- child safety and wellbeing are embedded in organisational leadership, governance and culture
- children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
- families and communities are informed and involved in promoting child safety and wellbeing
- equity is upheld, and diverse needs are respected in Policy and practice
- people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
- processes to respond to complaints and concerns are child-focused
- members and employees are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
- physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
- implementation of the national child safe principles is regularly reviewed and improved
- policies and procedures document how the organisation is safe for children and young people.

Further links:

- <https://childsafe.humanrights.gov.au/national-principles>
- <https://www.childsafety.gov.au/our-work/lead-national-principles-child-safe-organisations>
- <https://www.childsafe.org.au/help-for-organisations/developing-a-childsafe-culture/>
- <https://ocg.nsw.gov.au/>

Scope and purpose

The purpose of this Policy is to:

- prioritise the safety and wellbeing of children involved in MRNSW activities
- create an environment where children are protected from abuse and harm
- provide standards, procedures and principles for managing children participating in MRNSW activities
- provide guidance for MRNSW members and employees when engaging with children participating in MRNSW activities, enabling them to identify and prevent harmful behaviour to children.

Policy principles

1. Policy overview

- 1.1. This Policy applies to members and employees.
- 1.2. Members and employees are responsible for protecting the health, safety and wellbeing of children and young people with whom they have contact while performing MRNSW sanctioned activities.
- 1.3. Members and employees participating in or administering MRNSW activities delivered to or involving children and young people must ensure that appropriate behaviour is exhibited at all times.
- 1.4. Members and employees responsible for planning, administering, or facilitating MRNSW activities delivered to or involving children and young people must ensure that the safety and welfare of the children and young people are their primary consideration.

2. Participation of children in MRNSW activities

- 2.1. To ensure the safety and wellbeing of children participating in MRNSW activities, MRNSW will;
 - 2.1.1. Undertake risk assessments annually in relation to its activities to identify the level of responsibility for and contact with children, evaluate risks to child safety, and put in place appropriate strategies to manage identified risks;
 - 2.1.2. Establish and maintain a training and compliance system to enable members and employees to understand and comply with this Policy, MRNSW policies and SOPs, including Codes of Conduct that cover the safety and wellbeing of children participating in MRNSW activities and the relevant Child Protection Legislation.
- 2.2. Units within MRNSW may provide training and examining for the NSW Maritime General Boat and PWC licencing scheme to children, providing the following occurs:
 - 2.2.1. Written consent is obtained from the parent or guardian of the child;
 - 2.2.2. Members or employees providing the training and examinations have undergone and maintain a current Working with Children Check;
 - 2.2.3. An adult constantly supervises the children
- 2.3. MRNSW may accept membership applications from young people aged 16 and 17 to become Cadet Members. Cadet Members may engage in operational activities providing written consent is obtained from the parent or guardian of the child of the Cadet Member and the Cadet Member:
 - 2.3.1. holds relevant training or qualifications for the activity;
 - 2.3.2. wears appropriate PPE, including a life jacket if on water, and;
 - 2.3.3. is supervised by an adult member at all times.

3. Supervision

- 3.1. An adult must adequately supervise children and young people participating in MRNSW activities to promote a child-safe environment and prevent injury or harmful behaviour to children.
- 3.2. The level of supervision required should be determined by the children's age, experience, and abilities and include an assessment of the activity's risks.

- 3.3. Organisers of activities involving children must always ensure enough adults are available to provide adequate supervision. This includes making provisions for supervising children if members are required to respond to an operational incident.
- 3.4. Organised activities involving children should have a minimum of two adults in attendance and provide supervision at all times.
- 3.5. Where possible, supervisors of both genders should be present where both male and female children are involved in the activity.
- 3.6. One-on-one contact between adults and children (family members and guardians excepted) should be avoided. If one-on-one interactions are required, they should always be conducted in view of others.
- 3.7. Members and employees supervising children must be informed of the following:
 - 3.7.1. building safe environments for children and young people within MRNSW
 - 3.7.2. understand and comply with this Policy, MRNSW policies and SOPs, including Code of Conduct relating to the safety and wellbeing of children participating in MRNSW activities and the relevant Child Protection Legislation
 - 3.7.3. recognise indicators of child harm, including harm caused by other children and young people
 - 3.7.4. allows them to respond effectively to issues of child safety and wellbeing.

4. Child safe standards

- 4.1. Members and employees must comply with this Policy, MRNSW policies and SOPs, including the Code of Conduct relating to the safety and wellbeing of children participating in MRNSW activities.
- 4.2. Members and employees must not:
 - 4.2.1. engage in intimate relationships with children, including Cadet Members
 - 4.2.2. use their phone or a camera or video camera to take images of children unless they are a close family member or guardian of the child, or
 - the image is for MRNSW educational, training, or promotional purposes or online media, and
 - the immediate family member or guardian of the child is aware that the image is being taken and has given their permission.
 - 4.2.3. provide gifts to children, unless all children receive gifts, and it is done in the presence of their parent or guardian and with their prior authorisation
 - 4.2.4. engage with children who participate in MRNSW activities outside those activities without the parent's or guardian's full knowledge and permission
 - 4.2.5. transport children (excluding their family and relatives) to or from MRNSW activities without the child's parent or guardian's knowledge and permission.
- 4.3. Members and employees should avoid one-to-one unsupervised situations with children when undertaking MRNSW activities and (where possible) conduct all activities with children in view (sight and sound) of other people.

- 4.4. Physical contact between members and employees with children must be appropriate for delivering MRNSW services or activities. Appropriate reasons for touching, maybe fitting a lifejacket or demonstrating an activity. Except in an emergency, before initiating contact, members and employees must explain to the child how and why they want to touch them and seek their permission to do so.
- 4.5. Written consent must be obtained from parents or guardians of children before they participate in any photographic, sound or video recording that MRNSW may use for any MRNSW educational, training, or promotional purposes or online media, including social media.
- 4.6. Where possible, permission from parents or guardians should be obtained, wherever possible before communicating with a child. Once permission is received, it should be recorded electronically or in writing. Email and text messages sent to a child should be copied to their parent or guardian.

5. Suitability checks for working with children and young people

- 5.1. All new MRNSW members must undertake a National Criminal History Record Check (Police Check) during the membership application process. Members must annually declare any criminal convictions in the previous 12 months when renewing their membership.
- 5.2. All employees must undertake a National Criminal History Record Check prior to confirmation of their appointment.
- 5.3. Where required, members and employees undertaking activities or engaging with children are to complete and hold a current Working with Children Check under Child Protection Legislation. Currently, the legislation only requires members and employees to hold a Working with Children Check when providing training and examining services for the NSW General Boat and PWC licencing scheme.
- 5.4. Members and employees wishing to be approved as Trainers and Examiners for the NSW General Boat and PWC licencing scheme must apply to the MRNSW General Manager Training and Capability. The application must include evidence of a current Working with Children Check.
- 5.5. Transport for NSW also requires persons applying to be approved as a Trainer and Examiner to provide a current Working with Children Check.

6. Maintaining currency of Working with Children Checks (WWC)

- 6.1. Members or employees must forward confirmation of their initial Working with Children Check and subsequent renewals to the MRNSW General Manager Training and Capability for verification. The General Manager Training and Capability is responsible for keeping Working with Children's Check records current, including expiry dates.
- 6.2. A clearance to work with children is valid for five years unless there are reasons that may result in a clearance being reviewed by the NSW Office of the Children's Guardian.
- 6.3. Members and employees must ensure their contact details are current on the Office of Children's Guardian website (<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/when-to-renew>). Members will receive a notification from the NSW Office of the Children's Guardian when it is time to renew your Working with Children number. Members must renew their Working with Children Check within three months of their previous expiry date. Renewals will not be processed if the expiry date is longer than three months prior

7. Reporting

7.1. Immediate risk

7.1.1. If a child is at risk of immediate harm, members and employees must ensure their safety by:

- calling 000 for medical and/or police assistance to respond to urgent health or safety concerns
- administering first aid, if required and qualified
- separating at-risk children and others involved.

7.2. Reporting

7.2.1. Members and employees must report a concern or allegation that a child has been harmed or is at risk of being harmed, while participating in MRNSW activities to their Supervisor or Senior Officer. For Units, the Zone Commander must be informed via the Unit Commander. Employees must report directly to the Deputy Commissioner, Operations and Capability

7.2.2. Examples of reportable matters are as follows:

- any suspicion, observation, concern or allegation about a member or employee's conduct on duty that may place a child at risk of harm;
- information provided to them from any other person that a child is at risk of harm or has been harmed by a member or employee
- any correspondence or communications (including conversations, letters, notes, emails, text messages and social media or web forum interactions) that indicate that a child may be at risk of harm from a member;
- images, texts, emails, social media or web-based material that involves a member and relates to child pornography or the exploitation of children;
- any use of MRNSW technology to store or send images of child pornography or exploitation.

8. Managing child safety incidents

1.1 Any child safety incident must be reported to the Zone Commander via the Unit Commander. Employees must report to the Deputy Commissioner Operations and Capability. MRNSW will have regard to the guide entitled "*Complaint Handling Guide: Upholding the rights of children and young people*" and the "*Complaint Handling Guide-reference guide*" issued by the National Office for Child Safety in managing complaints made on behalf of or involving children or young people, currently available at <https://www.childsafety.gov.au/system/files/2022-09/nocs-complaint-handling-guide.pdf>, and <https://www.childsafety.gov.au/system/files/2022-09/nocs-complaint-handling-reference-guide.pdf>

9. Breach of this policy

9.1. A breach of this Policy may result in disciplinary action up to and including members being expelled or employees being dismissed.

Roles and responsibilities

The Commissioner is the approver of this Policy and is accountable for the broad implementation of this Policy; Zone Commanders are responsible for ensuring members are aware of this Policy; all members and employees are responsible for adhering to this Policy.

Related documents

Documents that relate to the Code of Conduct can be found in the files section in OTTER and are listed below:

- Marine Rescue NSW Constitution
- Marine Rescue NSW Rules
- Marine Rescue NSW Code of Conduct
- SOP ADM05: Discipline of members and employees
- SOP ADM06: Grievance
- SOP ADM09: Suspension
- Bullying and Harassment Prevention Policy
- Sexual Harassment Prevention Policy

Support and advice

Further support, guidance, and advice in relation to the contents of this Policy should be sought from the relevant Zone Commander.

Definitions

The following definitions apply in this policy:

Abuse means any abuse (including physical, emotional, psychological, sexual, and inappropriate use of power) that has caused, is causing or is likely to cause harm to a person's wellbeing, whether in person or as the result of a publication viewable by any other person by any means.

Cadet Member is a person aged 16 or 17 years who is admitted as a member of MRNSW in accordance with the MRNSW Constitution and rules.

Child or children means a person under the age of 18 years.

Child Protection Legislation includes the Child Protection (Working With Children) Act 2012, the Children and Young Persons (Care and Protection) Act 1998 and the Children's Guardian Act 2019.

Executive Officers means the Commissioner and Deputy Commissioners.

Employee means an employee of Marine Rescue NSW.

Member means a member of Volunteer Marine Rescue NSW.

MRNSW means Volunteer Marine Rescue NSW.

MRNSW Board means the Directors of MRNSW.

NSW Office of the Children's Guardian is an independent government agency that works to protect children by promoting and regulating quality, child-safe organisations and services.

Senior Officer means a person holding a position of delegated and lawful authority over a member under the Constitution, Rules, SOPs, or Policies, including the Board, Commissioner, Deputy Commissioner, Unit Commander, Unit Deputy Commanders, Unit Executives, Zone Commanders and Zone Duty Operations Managers.

SOP refers to a MRNSW Standard Operating Procedure.

Supervisor means someone authorised by their position to supervise or direct members and employees, including the Commissioner, Deputy Commissioners, Unit Commanders, Unit Deputy Commanders, Unit Executives, Zone Commanders and Zone Duty Operations Managers.

Suspension of a member means suspension under SOP ADM09.

Suspension of an employee means a period when an employee is relieved of their job because of alleged serious misconduct. Employees may be suspended on full pay when it is necessary to make a full investigation to determine the facts of the case.

Working with Children Check is a requirement for people who work or volunteer in child-related work. Employees and volunteers are responsible for keeping their Working with Children Check details up to date. A NSW WWCC clearance lasts for 5 years.

Approval and document control

Revision	Author	Document status / change	Reviewer	Approver	Date
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