

HALE AQUATICS

Safeguarding Children and Young People Policy



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1. Purpose

Hale School (the School) is committed to the protection of children from all forms of child abuse and demonstrates this commitment through the comprehensive implementation of all elements of its *Child Safety Policy* and in alignment with Swimming Australia's National Integrity Framework and its Safeguarding Children and Young People Policy

Consistent with the statement above, Hale Aquatics through its Safeguarding Children and Young People Policy maintains the right of children and young people participating in its activities, to feel safe and protected from all forms of abuse, harm, and neglect. They are entitled to participate in swimming training and competitions in a safe, positive, and enjoyable environment. A key objective of this Policy is to ensure that everyone involved in swimming at Hale Aquatics, is aware of children's rights and their personal responsibilities in relation to the safety of children/young people.

All adults in the Hale Aquatics community, including swimmers, staff, instructors, coaches, officials, volunteers, contractors, parents/guardians, and supporters are bound by the provisions of this policy which requires that if they have any reason to believe that a Child/Young Person is at risk of harm, they must follow the procedures at [Annexure A](#) of Swimming Australia's Safeguarding Children and Young People Policy and report to the appropriate law enforcement and/or child protection agency.

2. Definitions

Activity means a swimming contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition.

a **'child'** is an individual under the age of 18 years.

'Child-related work' is defined as work which involves engagement with a child, including:

- physical contact
- face-to-face contact
- oral communication
- written communication, and
- electronic communication (for example, email, instant messaging, social media, and video chats).

'Children's rights' is defined as a child's entitlement to thrive, develop and be safe, participate in decisions that

affect them, be free from discrimination and to have their best interests as a primary consideration in all actions concerning them.

Child Abuse includes any form of physical abuse, sexual abuse, emotional, psychological abuse, and neglect.

Physical abuse is any intentional act, deliberately aggressive or violent behaviour by an individual or a group of individuals towards another, which results in injury, pain, or trauma to the victim. It may include but is not limited to, hitting, slapping, kicking, pinching, punching, choking, burning, scalding, or inappropriate restraint.

Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level. It includes sexual behaviour in circumstances where:

- a) The child is the subject of bribery, coercion, threat, exploitation, or violence
- b) The child has less power than another person involved in the behaviour
- c) There is significant disparity in the development function or maturity of the child and another person involved in the behavior.

Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. Examples of emotional abuse are humiliating and shaming a child or exposing a child to domestic violence.

Psychological abuse is repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development, and intelligence. Examples include constantly belittling or shaming a child, constantly ignoring a child.

Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged, or they are injured. Neglect may be acute, episodic, or chronic. Some examples are leaving a child alone without adequate supervision, not providing medical help to a child when it is required.

Victimisation means subjecting a person or threatening to subject a person, either in-person or online, to any unfair treatment because the person has made, or intends to pursue their right to make a complaint, report or lawful disclosure, including under applicable legislation or this Policy, or for supporting another

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person to take such action.

Vilification means a public act, conduct or behaviour, either in-person or online, that incites hatred, serious contempt for, or revulsion or severe ridicule of a person or group of people because of a Protected Characteristic they hold (age, disability, race or ethnicity, sex or gender identity, sexual orientation or religion) as covered by applicable legislation.

Corporal Punishment is any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm.

Degrading Punishment is any punishment which is incompatible with respect for human dignity, including corporal punishment and any physical punishment which belittles, denigrates, scapegoats, threatens, scares, or ridicules the child

Grooming in the context of child protection is the subtle, gradual, and escalating process, deliberate and purposeful, of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator.

Harm or Harmful Behaviour towards a Child/Young Person means any behaviour involving a Child/Young Person that is objectively age inappropriate and/or places the Child/Young Person at risk of harm. This includes but is not limited to:

- (a) Child Abuse;
- (b) harmful training methods including physical punishment or overtraining which may cause harm to a Child/Young Person;
- (c) excessive or unnecessary emphasis on appearance, weight requirements or muscularity (either in person or online) that may include practices such as:
 - i. encouraging or enforcing excessive dieting or restrictive eating;
 - ii. excessive weigh-ins or focus on weight goals, body composition testing that is a sport requirement that carries punishment for the outcome (for example repeated bouts of exercises as punishment for weight gain); or
 - iii. unsafe practices that could put health at risk in order to reach weight or appearance requirements without adequate medical support (for example

dehydration or restrictive eating). (d) forcing a Child/Young Person to train or compete when ill or injured;

(e) threatening or humiliating a Child/Young Person (either in-person or online);

(f) using disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating; (g) making sexual comments to a Child/Young Person or engaging in open discussions of a sexual or Adult nature with (either on person or online), or in the presence a Child/Young Person;

(h) taking inappropriate photos or footage of a Child/Young Person; or

(i) inappropriate and/or intimate physical contact with a Child/Young Person which is sexual in nature or causes them to feel uncomfortable, or feel pain or distress

Mandatory Reporting is the legal requirement for teachers, nurses, persons of religious ministry, psychologists, school counsellors and boarding supervisors to make a report of child sexual abuse to the Department of Communities when a belief is formed, based on reasonable grounds, that sexual abuse has occurred or is occurring.

3. Principles

At Hale School and Hale Aquatics, we have zero tolerance for any forms of child abuse and are steadfast in acting in the best interests of children by keeping them safe from harm.

3.1 Conduct

The standards and behavioural expectations of all members of the Hale Aquatics community are clearly set out in the Code of Conduct. Additionally, all involved at the Club are directed to Child/Young Person Safe Practices set out in [Annexure B](#) of the Swimming Australia Policy on Safeguarding Children and Young People.

Engagement in any prohibited conduct, either in person, online or via any form of telecommunications against or in relation to a child or young person will be deemed to be a breach of this policy and will be subject to reporting, investigation and discipline in accordance with the provisions of the School's Child Protection and Mandatory Reporting Policy and Hale Aquatics Complaints, Disputes and Discipline Policy.

In addition to bullying, discrimination, harmful behaviours towards a child/young person, harassment,

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victimisation and vilification, the following are deemed to be prohibited conduct for the purposes of this policy:

- request or infer that a Child/Young Person keep any communication secret from their parents/carer, a coach or administrator, of Hale Aquatics
- supply alcohol, or drugs (including tobacco, e-cigarettes, nicotine pouches) to a Child/Young Person;
- supply medicine to a Child/Young Person, except for:

(a) where the Person has a reasonable belief that the medicine is essential for lifesaving medical treatment; OR administration of the medication is in accordance with Hale School's Student Health Care Policy and Procedures and Hale School's Administration of Medication to Students Policy and Procedures

(b) when permitted by law; or

(c) with the consent of the parent, guardian, or carer of the Child/Young Person and under a valid prescription for that Child/Young Person and at the prescribed dosage

3.2 *Recruitment and selection processes*

At the School and Hale Aquatics, we are committed to compliance with all relevant child protection laws and regulations. We implement the work systems, practices, policies, and procedures set out in the Hale School Child Safe Policy, to protect children from abuse and to promote a child safe environment. These include but are not limited to advertising, recruitment, screening, and selection processes for all staff, instructors, coaches and volunteers which address child safety concerns and are deemed to be critical to the prevention of abuse. This includes mandating the requirement for a WWCC and confirming the validity of the same for all persons involved in child related work

Individuals involved in the recruitment, selection and appointment of instructors, coaches, officials and volunteers at Hale Aquatics are also referred to Appendix 4: Interview Recommendations and Sample Questions and Appendix 5: Reference Check Recommendations and Sample Questions of the Swimming Australia Safeguarding Children and Young People Policy.

3.3 *Reporting and Complaints*

All persons involved with Hale Aquatics are bound to comply with

- Hale School policies and procedures that provide clear and appropriate information along with

guidelines on how to respond to and report grooming and child safety incidents and concerns.

- Procedures for reporting to external agencies, including Mandatory Reporting to the Department of Communities and the Police. The School's Child Protection and Mandatory Reporting Policy and accompanying procedures provide comprehensive information.
- Facilitation of all elements of the Reportable Conduct Scheme (Western Australia, 2023)
- The Code of Conduct requires staff, contractors and their employees, Swim Club members and volunteers to report any observations, concerns or allegations of misconduct to the Headmaster who will make a determination of his reporting obligations to the WA Ombudsman under the Reportable Conduct Scheme where applicable and/or the Director General of the Department of Education.

The above requirements are aligned with the provisions of the Swimming Australia Safeguarding Children and Young People Policy and specify the laws and processes specific to Western Australia as referenced in [Annexure A](#) of the Policy.

3.4 *Induction and Ongoing Training*

Hale School has developed a Child Protection and Staff Conduct training programme which all who are involved with Hale Aquatics as administrators, coaches, instructors and volunteers are required to complete on induction and annually thereafter.

4 **Related Legislation and Policies**

This policy must be read in conjunction with the following School Policies and Procedures

- Child Protection and Mandatory reporting Policy and Procedures
- Code of Conduct for all Staff
- Code of Ethics
- Hale Aquatics Code of Conduct
- Hale Aquatics Complaints, Disputes and Discipline Policy
- Recruitment and Selection
- Code of Conduct for all Students
- Risk Management Program
- National Integrity Framework-Swim Aus: Safeguarding Children and Young People Policy

Relevant Legislation

This policy may be read in conjunction with the following relevant legislation:

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- School Education Act 1999
- School Education Regulations 2000
- The Teachers Registration Act 2012
- Children and Community Services Act 2004
- Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008
- Criminal Code Act 1913
- Criminal Code Amendment Section 204B (Cyber Predators) Bill 2005.
- WA Reportable Conduct Scheme (2023)
- Working with Children (Criminal Record Checking) Act 2004

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