



CHILD SAFEGUARDING AND PROTECTION

POLICY DOCUMENT

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1. ACRONYMS

DBE	DEPT. OF BASIC EDUCATION
DSRAC	DEPT. OF SPORT, RECREATION, ARTS AND CULTURE
LTCD	LONG TERM COACHES DEVELOPMENT
NCC	NATIONAL COACHES COMMISSION
NF	NATIONAL FEDERATION
PSC	PROVINCIAL SPORTS CONFEDERATION
SASCOC	SOUTH AFRICAN SPORT CONFEDERATIONS OLYMPIC COMMITTEE
SRSA	SPORT AND RECREATION SOUTH AFRICA
SAGF	SOUTH AFRICA GYMNASTICS FEDERATION

2. SCOPE AND PURPOSE

This Policy applies to the following:

(a) The Policy applies to all individuals, entities and organisations in the Republic of South Africa working for or in collaboration with Louis Fourie Gymnastics:

- Permanent, maximum term and casual staff
- Individual contractors and consultants
- Volunteers
- Partners that have a formal/contractual relationship with sport members
- Interns
- Work experience students

(b) For others engaged by Louis Fourie Gymnastics (known as 'representatives') having contact with children for a period of one day or longer such as:

- Journalists and media personnel
- Photographers
- Donors
- Supporters
- Guest presenters
- Entertainers

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- Visitors including the spouse/partner or family member of personnel or associates

The Policy does not need to be signed by people engaged by sporting staff for less than one day, and/or who will have no contact with children. These people must be made aware of the Policy and the child protection standards and be supervised by staff members at all times.

The purpose of this policy is to regulate the Protection of children against abuse, violence, neglect and exploitation is an obligation that is shared by many different role players, including a range of government departments, public society agencies, communities, and families. Considering the Human Rights and Business Principles and the Convention on the Rights of the Child as well as the African Charter on the Rights and Welfare of the child and the Children's Act, 38/2005 and Regulations, protecting children has also been recognised as the responsibility of the private sector –in this instance Louis Fourie Gymnastics.

All the relevant stakeholders delivering coaching of gymnastics or associated services should adhere to this Policy.

3. VISION

Our vision is a world in which every child attains the right to survival, protection, development and participation, especially within the SA Gymnastics environment.

4. MISSION

To organise an inclusive and integrated programme that emanates from appropriate coaching ethics and standards;

To ensure the adherence to the code of conduct for all coaches;

To ensure child safeguarding and protection within the gymnastics environment

To establish and foster links between Coaches, Government Departments, SASCOC, SAGF and other stakeholders;

5. OBJECTIVES

Our purpose is to inspire breakthroughs in the way the world treats children and to achieve immediate and lasting change in their lives within the Louis Fourie Gymnastics Environment.

- To create a safe and secure environment for children's participation in gymnastics;
- To monitor player, coach and parent or supporter behaviour which could harm the self or others through Code of Behaviour being understood by all and implemented;
- To provide access to quality player and coaching resources;
- To provide a supportive environment for coaches at all levels with reference to child abuse, anti-doping, HIV/AIDS;
- To Establish a system to identify, refer and monitor children in need of care and protection;
- To provide regular updates on safeguarding children, training methods and safety aspects;
- To encourage quality coaching at all levels through the adoption and promotion of coaching education and orientation courses;
- To encourage all coaches to obtain a coaching qualification;

6. POLICY STATEMENTS

"The children of the world are innocent, vulnerable and dependent. They are also curious, active and full of hope. Their childhood should be one of joy and peace, of playing, learning and growing. Their future should be shaped in harmony and cooperation. Their lives should mature, as they broaden their perspective and gain new experiences."

World Declaration on the Survival, Protection and Development of Children:

World Summit for Children 30 September 2001

Take specific legislative, administrative, social and educational measures to protect the child from all forms of abuse or degrading treatment including physical abuse, emotional abuse, neglect, sexual abuse and exploitation, child labour and child trafficking.

Take appropriate measures to protect the child from all forms of abuse and prevent:

Physical abuse -

- this occurs whether or not actual injury is caused (hitting, shaking, striking, squeezing, burning or exerting excessive force on a child);
- tolerating or allowing a child access to substances is also regarded as a form of abuse;
- if a child is subject to injury as a result of fatigue or overuse because the nature and intensity of training is unsuitable for the child's immature and developing body, physical abuse also occurs;
- likewise the use of performance enhancing drugs.

Sexual Abuse -

The inducement, coercion or encouragement of a child to engage in any sexual activity –

- includes exposure to any pornographic material, telling stories or jokes of an explicit nature through to any sexual act;
- this form of abuse can have lasting and extremely damaging effects and often necessitates counselling;

Neglect –

- 'neglect', in relation to a child, means a failure in the exercise of parental responsibilities to provide for the child's basic physical, intellectual, emotional or social needs;
- lack of suitable supervision, care or attention also represents Neglect.

Emotional Abuse –

- can involve a combination of some or all the other types of abuse;
- comes about mainly where/when a child is threatened, shouted at or criticised, teased or insulted, or where effort/progress is simply ignored;
- normally caused by a coach who has favourite players, behaves inconsistently or who breaks confidences.

All of the above may well damage or undermine the self-confidence and self-esteem of a child.

Child Labour –

- **'child labour'** means work by a child which-
- (a) is exploitative, hazardous or otherwise inappropriate for a person of that age; and
- (b) places at risk the child's well-being, education, physical or mental health, or spiritual, moral, emotional or social development;

The use of children in all forms of begging.

Child Trafficking –

The abduction, sale of, or trafficking of children for any purpose or in any form, by any person including parents and other care-givers or legal guardians of the child -

- (i) by any means, including the use of threat, force or other forms of coercion, abuse of power or the giving or receiving of payments or benefits to achieve the consent of a person having control of a child; or
- (ii) due to a position of vulnerability;

6.1 REGULATED ACTIVITY

Regulated activity is a broad term which applies to:

- specified activities relating to children (e.g. teaching, training, instruction, care or supervision) which are carried out on a frequent (as a general rule at least once a week), or intensive (more than three days in any 30 day period) basis, or overnight (between 2am and 6am where the activity gives the person the opportunity to have face-to-face contact with children);
- work in a specified place which provides the opportunity for frequent contact with children (e.g. a school/ sport coaching environment); and
- certain specified positions (e.g. teacher/ coach).

Employees of Louis Fourie Gymnastics may be engaging in 'regulated activity', if, for example, their role involves frequent visits to schools or coaching centres.

7. PRINCIPLES UNDERLYING THE SAFEGUARDING POLICY

This document includes a set of principles for use by Louis Fourie Gymnastics. Child abuse is a serious violation of children's rights. Louis Fourie Gymnastics environments should minimise the risk of child abuse occurring in its programs and activities through the implementation of this Policy. The Child Protection Policy and Code of Conduct provide a practical guide to prevent child abuse occurring within the organisation and incorporate risk management strategies.

- Every child, whatever their background or their circumstances, should have the support they need to:

- § be healthy;

- § stay safe;

- § enjoy and achieve through learning;

- § make a positive contribution to society;

- § achieve economic well-being

- The welfare of the child is paramount.
- All children have equal rights to protection from abuse and exploitation.
- All children should feel safe and supported if they have to raise issues associated with abuse.
- All children should be encouraged to fulfil their potential.
- Everybody has a responsibility to support the care and safeguarding of children.

Louis Fourie Gymnastics has a duty of care to all children with whom their permanent staff and representatives have contact.

The reporting process in the Policy outlines obligations and responsibilities for reporting and managing any concerns about child abuse. It also protects personnel, associates and representatives of Louis Fourie Gymnastics from unfair processes should any allegations be made about them.

Sharing information and working with other organisations and agencies is vital in maximising protection from abuse.

8. GOVERNANCE STRUCTURE AND FRAMEWORK

The role of the National Minister of Social Development and the National Minister of Sport and Recreation:

The Minister of social Development is the custodian of Children in South Africa. The Minister has the legislative powers to oversee the care, protection and development of children in the country. The Minister is therefore the principle authority of Government with regards to all child related matters.

The Minister of Sport and Recreation is the custodian of sport and recreation in South Africa. The minister has the legislative powers to oversee the development and management of sport and recreation in the country. The Minister is therefore the principle authority of Government with regards to all sport and recreation matters.

The Constitution requires that the legislative and executive authority of different spheres of Government operate within a framework of cooperative governance. Article 4(1)(h) of the Constitution states that:

- “(1) All spheres of government and all organs of state within each sphere must:
- (h) co-operate with one another in mutual trust and good faith;
 - (i) fostering friendly relations;
 - (ii) assisting and supporting one another;
 - (iii) informing one another of, and consulting one another on, matters of common interest;
 - (iv) co-ordinating their actions and legislation with one another;
 - (v) adhering to agreed procedures; and
 - (vi) avoiding legal proceedings against one another.”

8.1 REPORTING OF CHILD ABUSE

- (1) Any correctional official, dentist, homeopath, immigration official, labour inspector, legal practitioner, medical practitioner, midwife, minister of religion, nurse, occupational therapist, physiotherapist, psychologist, religious leader, social service professional, social worker, speech therapist, **teacher**, traditional health practitioner, traditional leader or member of staff or volunteer worker at a partial care facility, drop-in centre or child and youth care centre who on reasonable grounds concludes that a child has been abused in a manner causing physical injury, sexually abused or deliberately neglected, must report that conclusion in the prescribed form to a designated child protection organisation, the provincial department of social development or a police official.
- (2) **Any person** who on reasonable grounds believes that a child is in need of care and protection may report that belief to the provincial department of social development, a designated child protection organisation or a police official.
- (3) The reporting process will be as follow: The coach who on reasonable grounds believes that a child is in need of care and protection must report that believe to the relevant club manager, who in turn will help the coach moving forward with the concern by assisting him in the further gather of evidence and/or submitting of evidence to the appropriate authorities.

8.2 NATIONAL CHILD PROTECTION REGISTER

- Part A – Record of personal details of the victim
- Part B – Record of personal details of the perpetrator
- **Purpose of Part B of Register**
- **118.** The purpose of Part B of the Register is to have a record of persons who are unsuitable to work with children and to use the information in the Register in order to protect children in general against abuse from these persons.
- **Contents of Part B of Register**
- **119.** Part B of the Register must be a record of persons found in terms of section 120 to be unsuitable to work with children, and must reflect-

- (a) the full names, surname, last known physical address and identification number of the person;
- (b) the fingerprints of the person, if available;
- (c) a photograph of the person, if available;
- (d) a brief summary of the reasons why the person was found to be unsuitable to work with children;
- (e) in the case of a person convicted of an offence against a child, particulars of the offence of which he or she has been convicted, the sentence imposed, the date of conviction and the case number; and
- (f) such other prescribed information.

Any coach who will work with children will be registered with the SAGF as a coach, who in turns will register coaches with the Coaches Professional Body, who as part of registration requires a police clearance certificate.

8.3 CONSEQUENCES FOR PERPETRATORS

- **123.** (1) No person whose name appears in Part B of the Register may-
 - (b) work with or have access to children at an institution providing welfare services to children, including a child and youth care centre, a partial care facility, a shelter or drop-in centre, a **school, club or association providing services to children**, or in implementing a cluster foster care scheme, either as an employee, volunteer or in any other capacity;
- **124.** (1) If the name of a person is entered in Part B of the Register and that person-
 - (a) works with or has access to children at an institution providing welfare services to children, including a child and youth care centre, a partial care facility, a shelter or drop-in centre or a school either as an employee, volunteer or in any other capacity, **that person must disclose that fact to the person who manages or operates the institution, centre, facility, shelter or school;**

- (2) A person contemplated in subsection (1) who fails to disclose the fact that his or her name is entered in Part B of the Register **is guilty of misconduct** and his or her services may be terminated as a result thereof.

9. ROLES AND RESPONSIBILITIES

Laws, policies, service standards - Legislation includes requirements to safeguard children, National Policies include robust employment laws to prevent children coming into contact with organisations or adults wishing to harm children; data protection to ensure that proper records are kept on criminal convictions;

Standards of Service include standards relating to safeguarding children. Standards provide a benchmark against which practice can be measured and audited. By drawing together and describing what is needed, they assist awarding bodies in reviewing and evaluating current practice and identifying goals for development. They also make explicit to others what is expected in relation to safeguarding. This provides a basis for accountability and challenge if practice falls below a certain standard. This is particularly useful when working with partner organisations.

Leaderships and Governance - Recognised independent national body on safeguarding; Organisations and Institutions are monitored by relevant government authorities to ensure they are performing to standards.

Coordination and Integration - National and Local Level information on resources is available to support safeguarding

Data and Knowledge management - Information on abuse perpetrated in organisations and institutions is regularly obtained and published; Information on best practices regularly gathered and made available at all levels.

Human and Financial resources - Curricula of professionals includes roles and responsibilities for safeguarding children.

Service Delivery (Prevention & response) - Service delivery organisations have child safeguarding measures in place.

Community based child protections mechanisms – Community leaders and networks have an understanding of child safeguarding measures.

Children's Participation - Child participation methods have child safeguarding standards. Children are also included in the safeguarding process.

Public awareness - Educating staff within organisations on child safeguarding measures will increase public awareness and contribute to social change.

10. CONSTITUTIONAL, LEGISLATIVE AND POLICY MANDATES

- a) Constitution of the Republic of South Africa;
- b) The Children's Act, Act 38 of 2005;
- c) National Sport and Recreation Act as amended in 2007;
- d) Constitution of SASCOC and National Federations;
- e) South African Institute of Drug-free Sport Act, Act 14 of 1997;
- f) Intergovernmental Relations Framework Act;
- g) Lotteries Act, Act 57 of 1997;
- h) White Paper on Sport and Recreation
- i) White Paper on Social Development

- j) Applicable Bills & Regulations
- k) Transformation Charter
- l) South African Schools Act of 1996;
- m) SA Coaching Framework
- n) SA Sport Commission Act, Act 110 of 1998
- o) Safety at Sports & Recreation Events Act 2 of 2010
- p) The Sexual Offences and Related Matters Amendment Act, Act 32 of 2007
- q) The Criminal Procedure Amendment Act, Act 9 of 2012
- r) Labour Relations Act and Amendments, Act 66 of 1995

11. Monitoring and Evaluation

The respective club managers will ensure that monitoring and evaluation is integrated into the delivery of Safeguarding and child protections education programmes.

12. Grievance Procedures

If there is dispute in terms of the interpretation of this policy by any party mandated to implement it, established organisational procedures must be followed.

12.3 Effective Date of implementation

1 October 2016

Louis Fourie