



Melbourne Stadiums Limited (MSL) Child Safeguarding and Wellbeing Policy

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	v.1	AFL General Manager Legal & Regulatory	November 2022	New policy covering AFL & MSL
	v.1.2	MSL Board	TBC	Amended to focus solely on MSL
Related Policies and Procedures	<ul style="list-style-type: none">• MSL Safeguarding Commitment Statement• MSL Safeguarding Children and Young People Code of Conduct• MSL Safeguarding Children and Young People Complaints and Reporting Procedure			



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1. PURPOSE

This Child Safeguarding and Wellbeing Policy (Policy) outlines how MSL will deliver on its commitments to safeguarding children and young people involved in MSL events, activities, programs, services and facilities. This Policy also sets out the behaviours required of MSL Employees towards and in the presence of children and young people. MSL Employees are required to abide by the standards set out in this Policy (including complying with appropriate measures to address risks) and report any behaviours that do not comply with it.

The purpose of this Policy is to:

- (i) Provide a clear statement to all MSL Employees that MSL has zero tolerance for child abuse and harm.
- (ii) Safeguard children and young people against different forms of child abuse and harm.
- (iii) Work towards an organisational culture of child safety and wellbeing within Marvel Stadium.
- (iv) Ensure that all MSL Employees are aware of their responsibilities for identifying possible child abuse and harm and for establishing controls and procedures for reducing the likelihood of such abuse and/or detecting such abuse when it occurs.
- (v) Provide guidance to MSL Employees as to action that should be taken where they suspect any child abuse or harm within or outside Marvel Stadium.
- (vi) Provide assurance that all suspected child abuse and harm will be reported and investigated as appropriate.
- (vii) Outline how MSL will deliver on its responsibilities and commitments to safeguarding of children and young people in the course of performing its operational control and management duties at Marvel Stadium on behalf of the AFL;
- (viii) Outline to MSL spectators and guests MSL's procedures and processes for responding to any concerns, incidents or allegations of harm or abuse to children and young people.

2. DEFINITIONS

For the purpose of this Policy and unless the context otherwise requires, the following definitions apply:

Term	Definition
Adult	A person eighteen years of age or older.
AFL	Australian Football League, being the owner of Marvel Stadium and a related body corporate (as that term is defined under the Corporations Act 2001 (Cth)) of MSL.
Bullying	<p>Bullying involves the inappropriate use of power by one or more persons over another less powerful person and is generally an act that is repeated over time and is intended to cause distress and risk to a person's wellbeing. Bullying has been described by researchers as taking many forms which are often interrelated, and may include:</p> <ul style="list-style-type: none">• <i>Verbal</i> (name calling, put downs, threats);• <i>Physical</i> (hitting, punching, kicking, scratching, tripping, spitting);• <i>Social</i> (ignoring, excluding, ostracising, alienating); and/or• <i>Psychological</i> (spreading rumours, stalking, dirty looks, hiding or damaging possessions);• Cyberbullying (any sustained name calling, put downs, campaigns of harassment or trolling in an online environment).

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Child abuse	Child abuse includes all forms of physical abuse, emotional or psychological abuse, sexual abuse, sexual exploitation, neglect or negligent treatment, grooming, commercial (e.g., for financial gain) exploitation, exposure to family violence, harassing behaviour such as bullying or other exploitation of a Child or Young Person and includes any actions that results in actual or potential harm to a Child or Young Person. Child abuse can be a single incident but usually takes place over time.
Children and Young People	People under the age of eighteen years. Child or Young Person shall mean a single person falling within the definition of Children and Young People.
Child protection	Any responsibility, measure or activity undertaken to safeguard children from harm.
Child Safe Standards	The (Victorian) Child Safe Standards are a set of legislated outcome-based Standards that require organisations providing services, programs and/or facilities to children and young people to comply with. The Child Safe Standards (Standards) aim to support organisations in developing practices that prevent and improve responses to allegations of child abuse and support the safety and wellbeing of children and young people by embedding safeguarding practices into everyday thinking. It is the policy of the AFL and its State Entities to comply with the requirements of these Standards.
Concerns and complaints	Any issue that an adult or peer considers may negatively impact on the safety or wellbeing of a child or young person.
Contractor	Any person or organisation engaged to provide services for, or on behalf of, MSL. This includes agents, advisors, and subcontractors of MSL and employees, officers, volunteers, and agents of a Contractor or subcontractor.
Emotional or psychological abuse	Emotional or psychological abuse occurs when a Child or Young Person does not receive the love, affection or attention they need for healthy emotional, psychological and social development. Such abuse may involve repeated rejection or threats to a Child or Young Person. Exposure to family violence can also impact the emotional and psychological wellbeing of a Child or Young Person. Constant criticism, teasing, ignoring, singling out (pointing out), threatening, yelling, scapegoating, ridicule and rejection or continual coldness are all examples of emotional abuse. These behaviours can result in significant damage to the Child's or Young Person's physical, intellectual or emotional wellbeing and development.
Event days	A major event that takes place at Marvel Stadium on the arena. Major events include sporting events (AFL, BBL), concerts and special events (university graduation, religious ceremonies).
Family violence	Family violence occurs when Children or Young People are forced to live with violence between adults in their home. It is violence between members of a family, or extended family, or those fulfilling the role of family in a Child or Young Person's life. It can include witnessing violence or the consequences of violence. Exposure to family violence places Children and Young People at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

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Grooming	Grooming means behaviours that manipulate or control a Child/Young Person, their family, guardian and carers or other support networks, or organisations, with the intention to gain access to the Child/Young Person, obtain the Child/Young Person's compliance, maintain the Child/Young Person's silence, and avoid discovery of sexual abuse.
Harm	Harm to a Child or Young Person is any detrimental effect of a significant nature on a Child's or Young Person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by: <ul style="list-style-type: none"> • emotional or psychological abuse, physical abuse or neglect; • sexual abuse; • a single act, omission or circumstance; and • a series or combination of acts, omissions or circumstances.
Harassment	Any type of behaviour towards a person that they do not want and is offensive, abusive, belittling, or threatening and is reasonably likely to cause harm to the person who is the subject of harassment. Sexual harassment includes unwanted or unwelcome sexual behaviour towards a person which may make them feel offended, humiliated or intimidated.
LGBTIQ+	Acronym for Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and/or Questioning.
Misconduct with a Child or Young Person	Any behaviour involving a Child or Young Person that is objectively age inappropriate and/or places the Child or Young Person at risk of harm.
Marvel Stadium	The Stadium and located at 740 Bourke Street, Docklands Victoria 3008 and owned by the AFL, which as at the date of this Policy is currently known by the same name.
MSL	Melbourne Stadiums Limited, being the company responsible for day-to-day management of Marvel Stadium on behalf of the AFL as further outlined in clause 2 of this Policy.
MSL Contractor	All external contractors engaged by MSL to perform services at Marvel Stadium.
MSL Employee	All persons employed by MSL on a casual, part-time or full-time basis.
MSL People	All MSL Employees, MSL Contractors, and any volunteers providing services at Marvel Stadium for, on behalf of, or under the direction of, MSL.
Neglect	Neglect is the persistent failure or deliberate denial to provide a Child or Young Person with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water or medical attention to the extent that the Child's or Young Person's health and development is, or is likely to be, significantly harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional and educational neglect. In the context of a sporting environment, it may involve an adult being aware that a Child or Young Person is at risk of abuse and not reporting these concerns to authorities.
Non-binary	This is an umbrella term for any number of gender identities that sit within, outside of, across or between the spectrum of the male and female binary. A non-binary person might identify as gender fluid, trans masculine, trans feminine, agender or bigender. A non-binary person may or may not use the gender-neutral pronouns of 'they' and 'them'.

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Non-Event days	Functions, conferences, meetings, and events that utilise Marvel Stadium's function spaces, including the arena throughout the week for clients.
Person in a Position of Authority	Person in a Position of Authority means, regardless of age, who through their position of involvement with Marvel Stadium, or the operation of Marvel Stadium, can exercise power, control or influence over a Child/Young Person.
Physical Abuse	Physical abuse occurs when a person subjects a Child or Young Person to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a Child or Young Person. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, kicking and excessive and physically harmful over-training. It also includes giving Children or Young People harmful substances such as drugs, alcohol or poison. Certain types of punishment, whilst not causing injury, can also be considered physical abuse if they place a Child or Young Person at risk of being hurt.
Policy	This Child Safeguarding and Wellbeing Policy.
Prohibited Conduct	Conduct prescribed in Clause 10 of this Policy.
Protected Characteristic	Includes age, disability, race, ethnicity, religion, sex, intersex status, gender identity, and sexual orientation.
Safeguarding Children and Young People Code of Conduct	The Safeguarding Children and Young People Code of Conduct outlines what is, and what is not, acceptable behaviour or practice when working with or engaging with Children and Young People as further detailed in this Policy.
Sexual abuse	Sexual abuse is any act which exposes a Child or Young Person to, or involves a Child or Young Person in, sexual processes beyond their understanding or contrary to accepted community standards. Perpetrators of sexual abuse take advantage of their power, authority or position over the Child or Young Person for their own benefit. It can include making sexual comments to a Child or Young Person, engaging Children or Young People to participate in sexual conversations over the internet or on social media, kissing, touching a Child's or Young Person's genitals or breasts, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object. It can involve undertaking sexual acts in the presence of a Child or Young Person or forcing them to watch such acts. Voyeurism, exhibitionism, and exposing a Child or Young Person to pornographic magazines, websites and videos, or involving them in pornography and Sexual Exploitation are also considered forms of sexual abuse.
Sexual exploitation	Sexual exploitation is a form of sexual abuse and occurs when a Child or Young Person is forced into sexual activities that are then unlawfully recorded in some way without the consent of one or more parties and/or used to produce child sexual abuse material. Such material can be in the form of actual photos or videos, whether published or circulated on the internet or social media. Exploitation can also involve a Child or Young Person who is forced into prostitution. Encouraging a child to view pornographic videos, websites, or images, or engaging a child to participate in sexual conversations over social media or otherwise is also considered sexual exploitation.



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Transgender	Someone whose gender does not exclusively align with the one they were assigned at birth. Transgender relates to a person's gender, not their sexual orientation.
Unlawful discrimination	Includes both: <ul style="list-style-type: none"> • direct discrimination such as treating a Child or Young Person less favourably than other people or groups because of personal characteristics; and • indirect discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of personal characteristics they share, where such personal characteristics is protected by applicable anti-discrimination legislation
Victimisation	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 person to take such action.
Vilification	A public act, conduct or behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a particular characteristic they hold, as covered by applicable legislation, including their race, religion, identifying as homosexual, transgender or non-binary.
Vicarious trauma	The experience of trauma symptoms that can result from being repeatedly exposed to other people's trauma and their stories of traumatic events.
Volunteer	A person engaged by MSL in any capacity who is not otherwise an employee or contractor, including parents or carers that volunteer, directors, coaches, officials, administrators and team and support personnel.
Wellbeing	Wellbeing encompasses the health of the whole Child and Young Person – physical, mental, social, spiritual and emotional. Social and Emotional Wellbeing of Aboriginal and Torres Strait Islander Children and Young People includes the connection Aboriginal and Torres Strait Islander Children and Young People have to self, family, community, culture, spirituality, and land/sea which are vital aspects of their wellbeing. It also acknowledges the impact that colonization continues to have on this population groups' health and wellbeing.
Working With Children Check (WWCC)	A Working with Children Check (however named) under the applicable legislation of a state or territory of Australia. State and territory specific details can be found here: https://aifs.gov.au/resources/resource-sheets/pre-employment-and-volunteer-screening-checks .

3. SUPPORTING DOCUMENTS

This Policy should be read in conjunction with and is supported by MSL's Commitment Statement to Safeguarding Children and Young People (approved by the MSL Board), MSL Safeguarding Children and Young People Code of Conduct and MSL Safeguarding Children and Young People Complaints and Reporting Procedure (Supporting Documents). This Policy and the Supporting Documents are available on the Marvel Stadium website at: <https://www.afl.com.au/policies>

4. SCOPE

This Policy applies to MSL Employees, as defined in clause 1 of this Policy.



This Policy should be read in conjunction with MSL related policies and procedures (**Appendix 2**), the Victorian Child Safe Standards (**Appendix 1**) and Commonwealth and Victorian legislation and (**Appendix 2**).

MSL is committed to continually reviewing its policies and practises to protect the safety and wellbeing of all children and young people (including MSL Employees as applicable). This Policy will be reviewed and updated on a regular basis by MSL in consultation with the AFL.

5. MSL's COMMITMENT TO SAFEGUARDING CHILDREN AND YOUNG PEOPLE

All children and young people, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have the right to feel safe and be free from any harm or abuse. MSL is committed to promoting and protecting the safety and wellbeing of all children and young people who access MSL events, activities, programs, services or facilities, by fostering a culturally safe environment where children and young people feel safe and welcome.

As part of MSL's commitment to safeguarding children and young people, MSL commits to the following:

- Zero tolerance for any form of child abuse or harm and will act quickly to protect children and young people should an incident occur. All complaints will be treated seriously, fully investigated and handled confidentially.
- Implementing child safe practices in accordance with the Victorian Child Safe Standards (**Appendix 1**).
- Seek to provide an environment in which all children and young people feel supported and respected.
- Creating a safe, inclusive, and welcoming environment for all children and young people who attend an event, concert or other occasion at Marvel Stadium, work at Marvel Stadium, or otherwise participate in events or activities held at Marvel Stadium.
- Recognise the needs of Aboriginal and Torres Strait Islander children and young people, children and young people from culturally and/or linguistically diverse backgrounds, children and young people with a disability and children and young people who identify as LGBTI+, transgender and/or non-binary and will implement culturally appropriate practices and procedures to address those needs.
- Recognise the particular needs of Aboriginal and Torres Strait Islander children and young people and will promote their cultural safety within the Marvel Stadium environment.
- All children and young people have equal rights to protection from harm and abuse regardless of their race, religion, age, disability, cultural background, gender, sexual orientation, or family/social background. MSL considers that the health, safety and wellbeing of children and young people take priority over all other competing considerations.
- Committed to the active participation of children and young people in attendance at Marvel Stadium (including any young people who are also MSL Employees), ensuring all children and young people know their rights, have their views taken seriously and involve them in decisions that may directly affect them and their peers at MSL.
- Recognise the important role families play in supporting children and young people and value their input and feedback on activities their children may participate in at Marvel Stadium (for example, use of sensory and/or parent rooms, activations and, for young people who are also MSL Employees, their employee duties at Marvel Stadium).
- In the event a concern or allegation is raised in relation to child abuse or any other inappropriate behaviour towards a child or young person that has occurred while a child or young person is under MSL's care, MSL will ensure it is treated seriously, in a culturally sensitive manner and fully investigated in accordance with this Policy, the Supporting Documents, any other related policies or procedures and relevant legislation.
- The safety and wellbeing of all children and young people at MSL and Marvel Stadium is a shared responsibility between MSL, MSL Employees, the AFL, and Marvel Stadium supporters, spectators, and guests.

6. EXPECTED BEHAVIOUR AT MSL

All MSL Employees have responsibilities in relation to the safety and wellbeing of children and young people at Marvel Stadium and are expected to:

- (i) understand the meaning of child abuse and harm and act on anything that they hear or see;



- (ii) understand the rights of children, as appropriate to their role and cause no harm to a child or young person;
- (iii) value equity and diversity and treat all children and young people with respect regardless of their race, religion, age, disability, cultural background, gender, sexual orientation, or family/social background;
- (iv) at all times, know and follow this Policy and related child safety and wellbeing guidance; and
- (v) co-operate with police and/or other formal investigations to the best of their ability.

All MSL Contractors are expected to abide by MSL's Child Safe Code of Conduct and sign an agreement requiring them to comply with this Policy and MSL's Child Safe Code of Conduct, prior to delivering any services at Marvel Stadium.

MSL will appoint a Child Safeguarding Officer or equivalent role at all events, and they will be the primary point of contact for all concerns and complaints related to child safety and wellbeing.

7. RECRUITMENT AND SCREENING

MSL is committed to implementing recruitment and screening practices that prioritise the safety of children and young people from child abuse and harm. MSL recruitment and screening practices must identify the most suitable people for positions who share MSL's commitment to protecting the safety and wellbeing of children and young people. MSL requires all MSL Employees to pass through its recruitment and screening processes prior to commencing their engagement with MSL. MSL seeks to implement screening practices that reduce the risk of harm or abuse to children and young people through:

- Clear position descriptions are provided that state relevant safeguarding requirements;
- Communication of this Policy and the commitments described to potential applicants for positions;
- Holding face-to-face interviews (or via videoconference platforms), which include safeguarding-related questions;
- Verbally obtaining two professional reference checks for all potential employees and two suitable reference checks for volunteer positions;
- Undertaking the relevant screening checks (specific to the role), which may include identity, criminal record, Working with Children Checks (all MSL Employees must hold an employee Working with Children Check) and qualification checks;
- As soon as reasonably practicable following engagement, a requirement that MSL Employees review and acknowledge their understanding of this Policy; and
- Once engaged, a requirement that all new MSL Employees participate in an induction program, which will provide them with further information about our commitment to safeguarding children and young people.

MSL requires all MSL Employees to successfully obtain, maintain and evidence for the duration of their employment or other engagement, a valid Working with Children Check and/or a satisfactory police background check.

MSL may at any time request satisfactory evidence of either or both of a Working with Children Check or a satisfactory police background check. If an individual is unable to or does not obtain a Working with Children Check or satisfactory police background check, or for whatever reason is unable to maintain a Working with Children Check or current satisfactory police background check at any time, MSL may take action up to and including the termination of their employment or engagement.

MSL requires MSL Employees to disclose convictions or charges affecting their suitability to engage with children and young people to the AFL People Department and reviews police checks and Working with Children Checks on a regular, ongoing basis.

Due to the nature of our work, we apply a minimum age policy of 18 years for MSL Employees. This ensures we provide a safe work environment for our employees, as well as children and young people who are involved in MSL events, activities, programs, services or facilities. Exemptions to this policy must be approved by the AFL Executive General Manager People.

8. SUPPORTING MSL PEOPLE



MSL is committed to supporting all MSL Employees to understand how to create a child safe and child friendly environment at Marvel Stadium.

MSL recommends that all MSL Employees familiarise themselves with the following online training in child safe practices – AFL Safe Footy Safeguarding webinars and resources, Play by the Rules training (child protection, cultural awareness, LGBTI+ inclusive clubs, Let Kids be Kids, Complaint handling) and eSafety Commissioner (safe online environments) (**Appendix 3**).

9. RISK MANAGEMENT APPROACH

MSL recognises the importance of identifying and managing risks to children and young people and will implement a risk management plan to address risks.

The risk management plan will be updated on a regular basis in consultation with MSL Employees, MSL health and safety representatives, and the AFL to ensure it is fit for purpose.

10. CHILD SAFE PRACTICES AND REQUIREMENTS

This Policy addresses the major areas where interaction occurs with the children and young people involved in MSL events, activities, programs, services and facilities. This Policy also imposes an obligation on MSL Employees who organise such events, activities, programs, services or facilities to identify where risks to safeguarding of children and young people may arise and adopt control measures to properly manage those risks (see further at section 11) of this Policy.

10.1 Sexual misconduct

Under no circumstances is any form of 'sexual behaviour' to occur with, or in the presence of, children or young people participating in any MSL events, activities, programs, services or facilities. Engaging in sexual behaviour, either by MSL Employees involved in the delivery of such events, activities, programs, services or facilities, or persons participating in such activities (whether they be children or young people or older), is prohibited, even if the young person(s) involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, and encompasses all actions that would reasonably be considered sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution; and
- 'non-contact behaviour', such as flirting, sexual innuendo, sexual harassment, inappropriate text messaging/sharing of images, sexual conduct in the presence of a minor, inappropriate photography or exposure to pornography or nudity.

10.2 Grooming

Although children and young people can be vulnerable to all types of abuse in sport, the sporting sector needs to be particularly aware of the potential for grooming children and young people in and around sporting activities. Grooming includes behaviours used to prepare a child or young person with the intention of sexually abusing them. Some common grooming strategies described in past sporting abuse cases (as reported to the Royal Commission into Institutional Responses to Child Sexual Abuse) include:

- coaching relationships – perpetrators can exploit their power and authority over children and young people through the private and exclusive coach or instructor relationship;
- inappropriate activity and adult material – many survivors of child sexual abuse in sport and recreation settings report that alcohol and other enticements were used by perpetrators as a form of grooming;
- erosion of interpersonal boundaries – coaches can shift the interpersonal boundaries from the acceptable, for example, legitimate touching to correct a technique, to the inappropriate;
- targeting vulnerability – research indicates that young athletes who are experiencing difficulties in their home life



can be targets for perpetrators. Many survivors describe family conflict, family violence or family break-up at the time of the abuse.

Perpetrators will seek to build a trusting relationship with a child, young person and/or their family and/or act to isolate the child or young person to abuse them.

Grooming in online environments has become more prevalent in recent years with the increase in online communication. Online grooming can occur quickly with children or young people being persuaded to participate in sexual activity on webcams or exchanging sexual images (nudes).

MSL Employees are strictly prohibited from engaging in any conduct that may reasonably be considered to be of the nature of grooming or in any way exploitative of the power imbalance that may exist in relationships with children and young people.

10.3 Peer-to-Peer Abuse

MSL acknowledges that child abuse or harm can occur through peer-to-peer interactions and may include behaviours ranging from harassment and bullying to sexual contact. If MSL Employees become aware of or witness any peer-to-peer abuse (for example, bullying, harassment, physical fights) they should act to stop it immediately. If the behaviour persists, MSL Employees must take steps to protect the abused child or young person. Parents and carers should be contacted and informed about any peer-to-peer abuse and how it will be managed.

All identified or suspected peer-to-peer abuse that may be of criminal nature must be reported to the Police and the MSL Integrity & Security Department.

10.4 Positive guidance

MSL strives to ensure that children and young people participating in any MSL events, activities, programs, services or facilities are aware of the acceptable limits of their behaviour so that we can provide a positive and safe experience for all participants.

Wherever possible, children and young people are encouraged to 'have a say' and participate in all relevant organisational activities and decision making in relation to those activities, especially on issues that are important to them. Children, young people and their families are to be given access to relevant information to assist them in their involvement, including about the AFL's safeguarding approach.

However, there are times when AFL People may be required to use appropriate techniques and behaviour management strategies, to discourage, prevent or discipline particular behaviour to ensure:

- an effective and positive environment; and
- the safety and/or wellbeing of children and young people and/or MSL Employees participating in MSL events, programs, services or using MSL facilities.

MSL Employees are required to use behaviour management strategies that are fair, respectful and appropriate to the developmental stage of the children or young people involved. The child or young person needs to be provided with clear directions and given an opportunity to redirect any misbehaviour in a positive manner.

Under no circumstances are MSL Employees to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating. Please refer to section 9.12 of this Policy for further information on when an MSL Person may make physical contact with a child or young person when carrying out a behaviour management strategy.

10.5 Promoting equity and diversity

All MSL Employees must ensure that their approach and interactions with children and young people are sensitive, respectful and inclusive of all backgrounds and abilities. In particular, MSL Employees are expected to:



- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children and young people (for example, by never questioning a child's self-identification);
- promote the cultural safety, participation and empowerment of children and young people with culturally and/or linguistically diverse backgrounds (for example, by translating our children, young persons and family resources into multiple languages to ensure accessibility and by having zero tolerance of discrimination);
- promote the safety, participation and empowerment of children and young people with a disability (for example, by ensuring children and young people have appropriate access to AFL programs, services and facilities); and
- promote the safety, participation and empowerment of children and young people who identify as LGBTI+, transgender or non-binary (for example, supporting the right for trans children to participate in the team of their preferred gender).

10.6 Adhering to professional role boundaries

Interactions between MSL Employees and children and young people should be limited to interactions directly associated with the MSL events, activities, programs, services or facilities and MSL Employees should not act outside the confines of their duties (as specified in their position description, the activity description or similar documents formulated in advance).

Without express authorisation from a Department General Manager or person delegated with their authority, all MSL Employees should not:

- provide unauthorised transportation, for example, giving children or young people lifts in their car to an activity without consent from a parent or carer (see section 9.16 below);
- engage in activities with children or young people who are participants in or members of our programs or organisation outside AFL activities, programs or services;
- provide support to a child or young person, or their family, unrelated to MSL events, activities, programs or services; for example, tutoring, financial support, babysitting or providing accommodation;
- seek contact with children or young people (or former participants) outside MSL events, programs, activities or services, including through social media platforms or by phone;
- where there is no existing social, personal or family relationship prior to engaging in MSL events, services, accept an invitation to attend any private social function at the request of a child or young person who has participated, or is participating, in any MSL event, program, activity or service – or at the request of their family (for example, graduation ceremony);
- develop any 'special' relationships with children or young people that could be seen as favouritism, such as the offering of gifts, special treatment or singling specific children or young people out, or being secretive with relationships;
- engage in open discussions of a mature or adult nature with or in the presence of children or young people; or
- discriminate against a child or young person on the basis of gender, race, religious beliefs, age, disability, sexual orientation, family or social background.
- If an MSL Employee's position description or similar document does not expressly grant that MSL Employee the right to do any of the above, such authorisation may not be inferred and instead the MSL Employee must seek express authorisation from their Department General Manager or person delegated with their authority to do any of the above.
- Any MSL Employee that becomes aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the scope of usual services, they should at the earliest opportunity:
 - contact the child or young person's parent or carer to discuss;
 - seek advice from their Department General Manager or person delegated with their authority; and/or
 - refer the matter to an appropriate support agency (for example, Child Protection).

10.7 Use of language and tone of voice

MSL Employees should use language and tone of voice in the presence of children and young people that:

- provides clear direction, boosts their confidence and encourages and affirms them;
- is not abusive or harmful to children or young people;



- does not include language that is:
 - discriminatory, racist, homophobic or sexist or in any way vilifies a child or young person;
 - derogatory, belittling or negative, for example, by calling out a child's behaviour in front of their peers, by calling a child a 'loser' or telling them they are 'too fat';
 - intended to threaten, intimidate or frighten, for example, finger pointing or getting in a child or young person's personal space; or
 - profane or sexual in nature.

These examples are all types of verbal abuse. Any language that is used to intimidate, frighten or control a child or young person or is thought to 'toughen them up' is never justifiable. Any form of verbal abuse and use of inappropriate language can affect a child or young person's self-esteem and may cause them to lose interest in participating in MSL events, activities, programs, services or facilities.

10.8 Supervision

MSL Employees are responsible for supervising children and young people participating in an MSL event, program, activity or service to ensure those participants:

- engage positively with the program or activity;
- behave appropriately toward one another; and
- are in a safe environment and are protected from external threats.

MSL Employees are required to avoid one-to-one unsupervised situations with children and young people participating in an MSL events, program, activity or service and, to the extent possible, conduct all activities and/or discussions with children or young people in view of other adults.

10.9 Use of electronic and online communications

MSL Employees must:

- not request (or accept a request) to be "friends", "follow" or communicate with children or young people using a personal social media account including, but not limited to, Facebook, Instagram, Twitter, Snapchat, Internet chat rooms or similar forums, game sites or instant messaging;
- not use such communication to promote unauthorised 'social' activity or to arrange unauthorised contact; and
- not request a child or young person to keep a communication a secret from their parent or carer, nor keep the communication a secret from the MSL Employee's Department General Manager or person delegated with their authority.

All MSL Employees are required to adhere to the MSL Social Media Policy.

MSL Employees are required to report to the MSL Integrity & Security Department if they become aware of any children or young people who may have been placed at risk of abuse or exploitation via social networking sites, text messaging, gaming sites or through web searches, or inappropriate email communication.

10.10 Photographs, filming or livestreaming of children and young people

Subject to any applicable terms of entry of a venue, under this Policy:

- children and young people are to be photographed, filmed or part of livestreaming while involved in an AFL program, activity or service only if:
 - consent is obtained from the child's or young person's parent or carer;
 - the child or young person consents to being photographed, filmed or livestreamed;
 - the context is directly related to participation in the program, activity or service;
 - the child or young person is appropriately dressed and posed; and
 - the image is taken in the presence of other MSL Employees.
- If a child or young person does not wish to be photographed, filmed or livestreamed or a child or young person's parent or carer has not provided permission for the child or young person to be photographed, filmed or



livestreamed, the child or young person is not to be singled out or made to feel purposely excluded.

- Images are not to be distributed (including as an attachment to an email) to anyone other than the child or young person photographed without the relevant Department General Manager's or a person delegated with their authority's knowledge and approval.
- Where photography is permitted and where practicable, MSL Employees should use a work device rather than a personal device (phone, camera, etc) to photograph, film or livestream children and young people.
- Photographs, films or livestreaming should not be taken or conducted in the presence of or whilst children or young people are getting dressed.
- Images are to be stored in a manner that prevents unauthorised access and should be destroyed or deleted as soon as practicable after they are no longer required subject to any IT data storage processes.
- MSL Employees must comply with MSL's Privacy Policy in relation to holding and disclosing images and any other personal information. In particular, MSL Employees should inform a child's or young person's parent or carer about the nature of the use of the image(s) as well as how the image(s) will be stored and how the image(s) can be accessed by the parent or carer.

10.11 Giving gifts

MSL Employees may only give a gift to a child or young person engaged in an MSL event, program, activity or service when:

- the MSL Employee's supervisor or manager has provided their consent being satisfied that the giving of the gift is appropriate and proportionate in the circumstances; and
- parents or carers are made aware of any gift given.

10.12 Physical contact with children and young people

Any physical contact with children and young people must be appropriate to the delivery of the event, program, activity or service, such as assisting with skill learning, and based on the needs of the child or young person. Where physical contact is appropriate (for example, a coach demonstrating a safe tackling technique) children and young people should always be asked if they consent to physical contact.

Under no circumstances should any MSL Employee have contact with children or young people participating in an event, program or activity that:

- involves touching of:
 - genitals;
 - buttocks; or
 - the breast area.

Other than as part of delivering medical or allied health services by a medical professional (in an emergency situation where a child or young person may not be able to consent) or in the process of administering first aid (however, where possible, consent should always be sought before making physical contact);

- would appear to a reasonable observer to have a sexual connotation;
- is intended to cause pain or distress to the child or young person (e.g. physical punishment);
- is overly physical (e.g. wrestling, horseplay, tickling or other roughhousing);
- is unnecessary (e.g. assisting with toileting when a child does not require assistance);
- is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child or young person or to others, in which case:
 - physical restraint should be a last resort;
 - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others; and
 - the incident must be reported to the MSL Integrity and Security Department and the child or young person's parent or carer as soon as possible.

All MSL Employees are required to report to the MSL Integrity and Security Department as soon as possible any physical



contact initiated by a child or young person (whether directed to another child or young person, to an MSL Employee or any other person) that is sexual and/or inappropriate, for example, acts of physical aggression, to enable the situation to be managed in the interests of the safety of the child or young person, MSL Employees and any other participants.

10.13 Change room arrangements

MSL Employees are required to supervise children and young people in change rooms while balancing that requirement with a child or young person's right to privacy. In addition:

- MSL Employees should avoid one-to-one situations with a child or young person in a change room area;
- MSL Employees should where possible, avoid being present in a change room area with a child or young person whilst they are changing;
- MSL Employees are not permitted to use the change room area to undress or dress, while children and young people are present;
- MSL Employees need to ensure adequate supervision in 'public' change rooms when they are used, providing the level of supervision required for preventing abuse by members of the public, adult users, or general misbehaviour, while also respecting a child's or young person's privacy;
- phones, cameras and recording devices are not to be used in changing rooms and in particular whilst children and young people are in a state of undress and/or getting dressed; and
- MSL Employees should respect and where possible, accommodate the wishes of children and young people to use toilets, change rooms and other facilities in accordance with their gender identity.

10.14 Use, possession or supply of alcohol or drugs

Whilst supervising children or young people, MSL Employees must not:

- use, possess or be under the influence of an illegal drug;
- use or be under the influence of alcohol;
- be incapacitated by any other legal drug such as prescription or over the counter drugs;
- supply alcohol or drugs (including tobacco/vapes) to children or young people; or
- supply or administer medicines, except when permitted by law (e.g. epi pen) or with the consent of a child or young person's parent or carer under a valid prescription for that child or young person and at the prescribed dosage.

Use of legal drugs, other than alcohol and tobacco, is permitted, provided such use does not interfere with the MSL Employee's ability to care for children and young people involved in an MSL event, program, activity or service.

11. UNIFORM

Marvel Employees should only wear MSL uniforms (where a uniform has been provided) or use any MSL accreditation, pass or badge while involved in delivering a service associated with MSL or as required by the MSL, such as when representing MSL at designated functions, or travelling to and from work.

12. PROHIBITED CONDUCT

12.1 Prohibited Conduct – MSL Employees

An MSL Employee commits a breach of this Policy when they:

- a. are found guilty of any breach of a relevant state or territory or Commonwealth law relating to or involving Child Abuse or Grooming; or
- b. either alone or in conjunction with another or others, engage in any of the following conduct, either in-person, online or via any other form of telecommunication, against, or in relation to, a Child/Young Person:
 - i. Harmful Behaviours Towards a Child/Young Person;
 - ii. Bullying;
 - iii. Discrimination;
 - iv. Harassment;



- v. Victimisation;
- vi. Vilification;
- vii. request or infer that the Child/Young Person keep any communication secret from their parents/carer, or other MSL Person, or MSL;
- viii. supply alcohol, or drugs (including tobacco) to a Child/Young Person;
- ix. supply medicine to a Child/Young Person, except for:
 - (A) where the MSL Person reasonably believes that the medicine is necessary for lifesaving medical treatment;
 - (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; or

(a) do not comply with the Child Safe Practices and Requirements as set out in Section 9 of this Policy that are applicable to all MSL Employees.

12.2 Prohibited Conduct – Person in a Position of Authority

In addition to Prohibited Conduct outlined in 10.1, a Person in a Position of Authority commits a breach of this Policy 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/Young Person:

- (a) continue in a Child/Young Person-related position if they have been charged or convicted of a crime that would make them ineligible to be granted a WWCC; or
- (b) do not comply with the Child/Young Person Safe Practices that are applicable to Persons in a Position of Authority as set out in Section 10 of this Policy.

13. COMPLAINTS AND REPORTING

MSL will take all concerns and complaints seriously, whether they are raised by an adult, child, or young person. All child related concerns and complaints will be responded to promptly and confidentially.

MSL has a Complaint Handling Policy in place and a child-friendly complaints poster to help children and young people to understand how they can raise concerns or complaints with MSL.

On event days, if there is concern for the immediate safety of a child or young person, immediately notify the assigned event manager for that event.

On non-event days, if there is concern for the immediate safety of a child or young person, immediately notify Marvel Stadium security, located at the stadium service entry.

If a child or young person is not in immediate danger but any person who believes on reasonable grounds that a child or young person is in need of protection from any form of child abuse or harm, may disclose that information to the Police, Child Protection (as administered by the Victorian Department of Families, Fairness & Housing), or the Commissioner for Children & Young People.

If a concern or complaint includes an allegation or incident of child abuse or harm, MSL People must report it in accordance with the MSL Stadium Complaint Handling Policy.

Any MSL Person who is the subject of a child or young person related concern, or complaint may be requested to stand down from their position at MSL (or otherwise cease providing services to MSL, as applicable) during an investigation.

MSL will investigate allegations of inappropriate conduct against a child or young person in accordance with procedural fairness and will handle the allegations in a confidential and sensitive manner.

MSL will keep a register of any allegations regarding inappropriate conduct.

13.1 REPORTING SEXUAL ABUSE



If an MSL Person receives information that leads them to form a reasonable belief that a sexual offence has been committed against a child under the age of 16 years, that person has a legal obligation to disclose that information to the Police as soon as it is practicable, except where an exception applied as set out in the Crimes Act 1958 (Vic). Individuals who fail to comply with this obligation in accordance with the Crimes Act 1958 (Vic) may be subject to a penalty of imprisonment.

A number of professions in the community are also required by law to report to Child Protection where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

This report must be made as soon as practicable, and on any occasion where they become aware of other allegations and have reasonable grounds for belief, in accordance with the reporting procedure set out in this clause 9.

14. POLICY BREACHES

Any MSL Employee who breaches this Policy shall be subject to investigation and/ or disciplinary action including (as applicable) restriction or suspension of duties or services, or termination of employment.

15. REPORTING OBLIGATIONS

If a child or young person is at imminent risk of harm or in immediate danger, all MSL People are required to report the situation directly to the Police - CALL '000' (within Australia).

MSL People are required to immediately report:

- any instance of any MSL People breaching this Policy or the Safeguarding Children and Young People Code of Conduct;
- any instances, allegations or disclosures of child abuse or other inappropriate conduct such as grooming or bullying that they become aware of, or any concerns that they develop in relation to these matters (whether by a source internal or external to MSL, including a family member, carer or guardian of the child or young person).

Reports must be submitted on the AFL's online reporting platform in accordance with the MSL Safeguarding Children and Young People Complaints and Reporting Procedure. MSL documents any allegation, disclosure or concern regarding child abuse and any other form of inappropriate behaviour and monitors responses to all allegations, disclosures or concerns.

Additional legal obligations may exist in each State and Territory regarding mandatory reporting (See Appendix A) where any behaviour that may constitute a criminal offence must be reported to a statutory agency/body (e.g. police or relevant child protection agency) in accordance with the relevant state/territory law. For example, failure to disclose sexual offences committed against a child and failure by a Person in a Position of Authority to protect a child against sexual abuse. Failure to report information about suspected child abuse and/or harm is prohibited conduct, particularly in relation to Position in a Position of Authority roles. The Position of Authority requirements are mandated under state and territory legislation. Non-compliance could result in criminal convictions under the relevant laws.

15.1 Acknowledging vicarious trauma and support to MSL People

It is acknowledged that disclosures of harm and/or abuse can be traumatic for every person involved. If an MSL Person requires assistance or support to debrief about an incident, allegation and/or disclosure they are encouraged to discuss this confidentially with their manager and/or access the Employee Assistance Program (EAP) to speak with a counsellor (EAP Tel: 1300 687 327).

16. INVESTIGATING

If an appropriate child protection service, the police or the MSL Integrity & Security Department investigate a report made on the AFL's online reporting platform, all MSL People must co-operate fully with the investigation.

17. RECORD KEEPING AND INFORMATION SHARING



MSL is committed to making and retaining accurate records of reports of child safety related concerns and complaints. MSL will maintain records and outcomes of investigations and resolutions of concerns and complaints. In maintaining records of reports about child safety, MSL will maintain confidentiality and privacy for children and young people and families in accordance with legislation.

As part of MSL's commitment to continuously improve its children and young people safety practices, MSL will review identified risks to children and young people through the incident management and record keeping process and will incorporate those risks into the risk management plan.

From time to time, MSL may share relevant information to promote the safety and wellbeing of children and young people where appropriate and in their best interest. This may include sharing information with external authorities to comply with the law or to prioritise the safety of a child or young person.

18. PRIVACY

Protecting personal information is fundamental to MSL. MSL will comply with all privacy laws (including the *Privacy Act 1988* (Cth) and the Australian Privacy Principles) in handling any personal information as required by this Policy. All personal information collected or recorded by MSL in relation to the safety of children and young people will be treated seriously and MSL will respect the privacy of the individuals involved.

On occasion, to support the safety and wellbeing of children and young people, MSL may share information both internally between MSL departments and/or with relevant external bodies. Any information shared will be done so in a confidential manner and in accordance with applicable data protection legislation and MSL's Privacy Policy.

19. COMMUNICATION AND EDUCATION

MSL communicates this Policy to all MSL Employees. MSL involves MSL People in reviews of this Policy and communicates any significant alterations of this Policy to MSL Employees. In accordance with MSL's development and implementation of its education plan, all MSL Employees will be required to undertake safeguarding training as part of the onboarding process with the MSL and MSL Employees will be required to undertake regular safeguarding training to refresh their knowledge on safety and wellbeing matters.

20. MONITORING AND REVIEW

MSL monitors MSL Employees and our external providers' compliance with this Policy and the Supporting Documents. MSL reviews policies, procedures, practices and incident data in relation to safeguarding children and young people from child abuse and harm on an ongoing basis.

MSL involves relevant stakeholders in reviews of this Policy and communicates any significant alterations of this Policy to MSL Employees. MSL undertakes reviews at least every two years to identify and document potential risks to children or young people associated with the delivery of our activities, program, services and facilities. MSL has a procedure to undertake reviews of this Policy every two years, as part of our ongoing compliance with safeguarding requirements, although reviews and alterations may occur more frequently due to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the MSL Board.



APPENDIX 1

Victorian Child Safe Standards	
1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2	Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4	Families and communities are informed and involved in promoting child safety and wellbeing.
5	Equity is upheld and diverse needs respected in policy and practice.
6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7	Processes for complaints and concerns are child focused.
8	Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10	Implementation of the Child Safe Standards is regularly reviewed and improved.
11	Policies and procedures document how the organisation is safe for children and young people.

APPENDIX 2

RELATED DOCUMENTS AND LEGISLATIVE REQUIREMENTS

This Policy should be read in conjunction with:

- the laws of the Commonwealth and Victoria (as amended from time to time) including but not limited to:
 - Children, Youth and Families Act 2005 (Vic);
 - Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic);
 - Crimes Act 1958 (Vic) Failure to Disclose Sexual Offence Committed Against a Child Under 16 (section 327); Failure by a Person in Authority to Protect a Child from a Sexual Offence (section 49 O);
 - Worker Screening Act 2020 (Vic); and
 - Wrongs Act 1958 (Vic) Organisational liability for child abuse.
- MSL's policies and procedures

APPENDIX 3

RELATED CHILD SAFETY EDUCATION RESOURCES AND LINKS

- AFL Safe Footy Safeguarding webinars and resources: [Safeguarding Children & Young People - Play AFL](#)
- Play by the Rules training (child protection, cultural awareness): www.playbytherules.net.au
- eSafety Commissioner (safe online environments and sporting organisations): www.esafety.gov.au