

- (i) the particulars of a complaint and the conciliation shall at all times remain confidential; and
 - (ii) a person shall not publicly comment on or disseminate to any person information concerning a complaint or conciliation at any time prior to, during or after the conciliation.
- (b) Where a complaint is resolved by conciliation, any public statement (including any apology) made concerning the complaint and its resolution shall be agreed upon by the parties.

10.6 No conciliation outcome

Where the matter has not proceeded to conciliation pursuant to Section [10.3\(b\)](#), or the AFL or Controlling Body (as applicable) is of the opinion that the matter has not been resolved by conciliation, the AFL or Controlling Body must proceed to the issuing of a Notice of Breach in accordance with Section [23.4](#) and Section [23.5](#) unless the AFL or Controlling Body (with the approval of the AFL) determines that exceptional and compelling circumstances apply such that the matter should not proceed to a Notice of Breach, in which case the matter will be closed or dealt with in such other manner as determined by the AFL. *[Guidance note: Where a matter is being managed by a Controlling Body, the Controlling Body must seek the approval of the AFL if it considers that exceptional and compelling circumstances apply].*

11. Safeguarding Children and Young People

11.1 Introduction

(a) AFL commitment to safeguarding Children and Young People

- (i) All Children and Young People, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to:
 - (A) feel safe and protected from all forms of abuse, harm and neglect; and
 - (B) take part in Activities in a safe, positive, and enjoyable environment.
- (ii) The AFL has a zero tolerance for Child Abuse and is committed to:
 - (A) promoting and protecting the safety and wellbeing of all Children and Young People; and
 - (B) ensuring that all Relevant Bodies and Persons are aware of their rights and responsibilities in relation to Children and Young People.

(b) Policy intent

This Section [11](#), together with [Appendix 6](#), sets out:

- (i) the responsibilities and behaviours required of Persons when engaging or working with Children and Young People;
- (ii) what behaviours will constitute “Prohibited conduct” and will result in a disciplinary process under [Part E](#) of the Policy Handbook;

- (iii) the expected commitments and responsibilities of a Relevant Body when managing Activities that involve Children and Young People;
 - (iv) Reporting requirements in relation to harmful conduct toward Children and Young People or conduct that may constitute a breach of this Section [11](#).
- (c) If any Person considers that a Child or Young Person is at risk of Harm, that Person must follow the Reporting procedures under Section [11.5](#).

11.2 Relevant Body commitment to safeguarding Children and Young People

- (a) To support the AFL's commitment under Section [11.1](#), each Relevant Body will:
- (i) have zero tolerance for Child Abuse;
 - (ii) seek to provide an environment in which all Children and Young People feel supported and respected;
 - (iii) recognise the particular needs of Aboriginal and Torres Strait Islander Children and Young People, LGBTIQ+ Children and Young People, Children and Young People from culturally and/or linguistically diverse backgrounds and Children and Young People with a disability and will implement culturally appropriate practices and procedures to address those needs;
 - (iv) consider the opinions of Children and Young People and use their opinions to inform the development of policies and procedures in relation to the protection of Children and Young People;
 - (v) engage with Children and Young People and their parents/guardians about safeguarding practices and help empower them to speak up when they see or hear something that makes them feel unsafe and ensure that relevant information and resources are accessible to them; and
 - (vi) ensure that any concern or allegation 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 the Relevant Body's care, is treated seriously, in a culturally sensitive manner and fully investigated in accordance with this Policy Handbook and any other related policies or procedures and relevant legislation;
 - (vii) comply with all statutory requirements in respect of safeguarding Children and Young People, including ensuring all relevant Persons who work with Children and Young People have complied with their working with children obligations applicable to their State or Territory;
 - (viii) undertake appropriate screening measures when appointing a Person to a child-related position.

11.3 Responsibilities of a Person

- (a) For the purpose of this Section [11](#), a 'Person', as defined under Section [1.1](#) of the Policy Handbook, also includes a Person employed or engaged by a Controlling Body.

- (b) A Person must:
 - (i) treat all Children and Young People with respect;
 - (ii) make themselves aware of and comply with all obligations that they are subject to under relevant state/territory Child Protection Legislation;
 - (iii) make themselves aware of and comply with the requirements of this Policy Handbook including the standards detailed in [Appendix 6](#);
 - (iv) immediately report any concern for the safety or wellbeing of a Child or Young Person, or a suspected breach of this Section [11](#), in accordance with this Policy Handbook; or
 - (v) provide true and accurate information during any recruitment and screening processes for a role that involves working with Children or Young People.

11.4 Prohibited conduct

- (a) A Person will be in breach of Section [11](#) if they:
 - (i) engage in conduct contrary to Section [11.4\(b\)](#);
 - (ii) are found guilty of any breach of a relevant state or territory or Commonwealth law relating to or involving Child Abuse or Grooming; or
 - (iii) continue in a Child and Young Person-related position where charged or convicted of a crime that would make them ineligible to be granted a WWCC;
 - (iv) without reasonable cause, fail to comply with the reporting requirement in Section 11.3(b)(iv).
- (b) A Person must not:
 - (i) engage in conduct relevant to a Person that is contrary to Appendix 6 - Children & Young People Safe Practices;
 - (ii) engage in any behaviour that may reasonably be considered to be Child Abuse as defined in Section [11.4\(c\)](#), or Grooming as defined in Section [11.4\(d\)](#);
 - (iii) engage in direct or indirect Harassment or Bullying of a Child or Young Person;
 - (iv) engage in Victimisation of a Child or Young Person;
 - (v) engage in Sexual Misconduct with a Child or Young Person; or
 - (vi) request or infer that the Child and Young Person keep any communication secret from their parents/carer, or other Person such as a coach or administrator, or Organisation.
- (c) In addition to the requirements of Section [11.4\(a\)](#) and Section [11.4\(b\)](#), a Person in a Position of Authority will be in breach of Section [11](#) if they:

- (i) engage in conduct relevant to a Person of Authority that is contrary to Appendix 6 - Children & Young People Safe Practices;
 - (ii) fail to immediately disclose to the Relevant Body any charges or convictions affecting their suitability to engage with Children and Young People; or
 - (iii) continue in a Child and Young Person-related position where charged or convicted of a crime that would make them ineligible to be granted a WWCC.
- (d) A Relevant Body will be in breach of Section [11](#) if it:
- (i) engages a Person who does not have a satisfactory WWCC as required under this Policy Handbook or the relevant Child Protection Legislation;
 - (ii) does not confirm the validity of a Person's WWCC currency;
 - (iii) does not undertake any screening measures when appointing a Person to a child-related position;
 - (iv) does not obtain adequate informed consent from an Approved Person prior to any sport sanctioned transportation or overnight accommodation of a Child or Young Person;
 - (v) has knowledge of a potential breach by a Person of this Section [11](#) and fails to:
 - (A) follow the reporting procedures under Section [11.5](#); or
 - (B) manage the potential breach in accordance with Section [23](#).

11.5 Reporting procedures

- (a) Child Protection Legislation places obligations on persons to report any reasonable suspicion or knowledge that a Child/Young Person is or is likely to be at risk of Harm, and failure to comply with this:
 - (i) could result in criminal proceedings;
 - (ii) may result in disciplinary proceedings under this Policy Handbook where that failure is by a Person including a Person in a Position of Authority.
- (b) If a Person believes that a Child or Young Person is in imminent risk of Harm or immediate danger, or that any conduct toward a Child or Young Person may constitute a criminal offence that Person must:
 - (i) call '000' to report a matter to police; and
 - (ii) lodge a report with the AFL via the AFL's electronic complaint submission platform (accessible [here](#)).
- (c) If a Person believes that another person has committed a breach of Section [11](#), that Person is to:
 - (i) contact the relevant Controlling Body immediately; and

- (ii) as soon as practicable, submit a written complaint to the AFL under Section [23.1\(a\)](#).
- (d) When a Controlling Body is notified by a Person of an alleged breach of Section [11](#), the Controlling Body must use best endeavours to ensure Person submits a written complaint to the AFL under Section [23.1\(a\)](#) and support that Person to do so.

11.6 Complaint management

- (a) A complaint received by the Controlling Body under Section [23.1\(a\)](#), is to be assessed by the Controlling Body under Section [23.2\(c\)](#).
- (b) A complaint received by the AFL under Section [23.1\(a\)](#) will then be processed under the applicable provisions of [Part E - Disciplinary](#), including an assessment of the written complaint under Section [23.2\(a\)](#).

11.7 General safeguarding matters

(a) State & Territory child safe standards

This Policy is underpinned by the National Principles for Child Safe Organisations. Each State and Territory may establish its own child safe standards with compliance requirements. Relevant Bodies are required to familiarise themselves with the legislative requirements in their State or Territory and to take steps to ensure that they are meeting any additional compliance requirements not covered by this Section [11](#), including by adopting additional procedures, policies or standards where necessary.

(b) Resources

Further information and resources for Relevant Bodies and Persons in relation to AFL safeguarding requirements can be found at <https://play.afl/safeguarding>

12. Social Media

12.1 AFL commitment to online safety

The AFL has signed the [Online Safety Statement of Commitment](#) alongside 23 other major sporting organisations from around Australia to actively support the work of the Commonwealth Government eSafety Commissioner to help keep all Australians, from grassroots to professional athletes, team members and officials, safe online.

12.2 AFL statement on Social Media

- (a) It is important to understand that content posted on Social Media can have serious ramifications for the Person involved, the AFL and other Controlling Bodies, their people, commercial partners or other related organisations and individuals. Comments may be mistakenly attributed to the AFL or other Controlling Body in some circumstances. It is therefore important that a Person always think twice before posting.
- (b) Before using Social Media, the AFL encourages all Persons to ask themselves the following questions:
 - (i) Am I revealing any sensitive or confidential information?