

## Hong Kong Rugby Union Safeguarding Policy

It is the responsibility of all those involved with rugby in Hong Kong to provide a safe environment for children and young people to enjoy the game. The Hong Kong Rugby Union (“HKRU”) strongly believes that the welfare of all children and young people is paramount; that all children and young people have an equal right to protection from harm; and that all forms of discrimination, prejudice, oppressive behaviour and language are unacceptable. These beliefs form the core principles of this Safeguarding Policy (“**Policy**”). This Policy is produced, approved and managed by the HKRU.

For the purposes of this Policy, a “child” or “children” refers to someone under the age of 16 years and a “young person” or “young people” refers to someone aged 16 years or older but less than 18 years of age.

The HKRU aims to safeguard children and young people playing rugby in Hong Kong by:

1. Establishing and enforcing a vetting procedure for all employees, independent contractors and volunteers who intend to work closely with children and young people through rugby;
2. setting Safeguarding Guidelines and educating members of the rugby community on how to uphold these, through publications and training;
3. establishing a network of trained employees and volunteers who will govern this Policy and identify and report breaches through established reporting lines; and
4. enforcing this Policy and acting swiftly where breaches of it are reported.

This Policy applies to all employees, independent contractors and volunteers working with the HKRU, its members or associate members from time to time in a position that involves or is likely to involve regular close contact with children or young people in relation to rugby (a “**Relevant Role**”). This includes any such person at:

1. the HKRU;
2. all rugby clubs in Hong Kong (“Clubs”);
3. the Hong Kong Society of Rugby Union Referees (“HKSURFU”);
4. the Hong Kong Mini Rugby Football Union (“HKMRFU”) and its members;
5. the Hong Kong Colts Association (“HKCA”); and
6. any other member or associate member of the HKRU.

For the purposes of this Policy, each of the above is a “**Rugby Body**”.

All those whose activities are governed by this Policy should familiarise themselves and comply with its requirements. Failure to comply with this Policy may result in barring or suspension from rugby in Hong Kong. More serious and criminal activity may in addition be reported to the police. All others involved in rugby in Hong Kong (including but not limited to parents, spectators, athletes and the media) are strongly encouraged to adhere to and uphold this Policy, in order to provide a safe environment for children and young people to enjoy the game.

For more detail and specific guidance on how to manage Safeguarding at your Rugby Body, please speak to your SO.

### 1. RECRUITMENT

When Rugby Bodies in Hong Kong recruit or engage employees, independent contractors and volunteers, they must follow the recruitment guidelines set out below.

### **Recruitment Process**

- 1 When recruiting for a Relevant Role, the recruiting Rugby Body should take reasonable steps to satisfy itself that any individual offered such a role is suitable to work closely with children and young people.
- 2 In order to satisfy this requirement, any individual who is likely to be employed or engaged in a Relevant Role should be:
  - a. provided with and required to confirm that they have read, and understand this Policy; and
  - b. requested to make a declaration in the form attached at Appendix 1 of this Policy, confirming their suitability to work with children and young people (the “**Declaration**”) prior to their employment or engagement as an employee, independent contractor or volunteer.
- 3 If an incomplete Declaration is provided, the recruiting Rugby Body may require that the applicant attend an interview with the relevant Rugby Body’s SO to explain why they were unable to complete the Declaration. The SO of the recruiting Rugby Body shall have the final say on whether the applicant is suitable for a Regulated Role.
- 4 Where a Rugby Body is employing an individual in a Relevant Role, it should additionally require them to complete a Sexual Conviction Record Check with the Hong Kong Police prior to the commencement, and as a condition of, their employment. Applicants may also be required to provide personal references. This is highly recommended where the applicant for a Relevant Role has no known connection with the recruiting Rugby Body.

### **Safeguarding Officer (“SO”)**

The SO is a Relevant Role at each Rugby Body except for the HKRU, which will instead employ a Safeguarding Manager. Ideally the SO should be a member of the committee or board of the Rugby Body but this is not a requirement. Where possible, the SO should be appointed at the same time as the other members of the Rugby Body committee.

The SO is responsible for administering this Policy and handling the Personal Data provided by those in Relevant Roles within their Rugby Body. The information provided by those in Relevant Roles is Personal Data, and must be handled in accordance with the Personal Data (Privacy) Ordinance. The website of the Privacy Commissioner for Personal Data (“PCPD”) (<https://www.pcpd.org.hk/index.html>) provides useful guidance on the proper handling of Personal Data.

The SO is the first point of contact at a Rugby Body for anyone who wishes to report abuse against a child or young person. All SO’s should, within six months of being appointed, receive a safeguarding induction that covers their role and responsibilities.

### **Safeguarding Manager (the “SM”)**

The SM is employed by the HKRU and responsible for administering this Policy and its related procedures, and coordinating with the SOs to ensure that the Policy is applied

consistently to all those who are bound by it. Contact details for the current SM(s) are available on request from the HKRU.

The SM should, within six months of being appointed, receive a safeguarding induction that covers their role and responsibilities.

## **2. SAFEGUARDING GUIDELINES**

The following is a guide on the acceptable conduct to adopt in common situations that may arise when working with children and young people in rugby. These guidelines represent a minimum standard that the HKRU believes is acceptable. Should a Rugby Body wish to impose reasonable higher standards of practice, they are welcome to do so.

### **General Policy**

The aim of the HKRU is to provide a safe and enjoyable environment for children and young people to enjoy playing rugby. The welfare and happiness of all children and young people is paramount and all children and young people have an equal right to protection from harm.

### **Changing Rooms and Showers**

Due to the limited availability of facilities at some Hong Kong rugby venues, children, young people, and adults use the same changing facilities. Rugby Body members, especially those in Relevant Roles, should attempt to ensure supervision of children in these situations and be vigilant that abuses are not taking place. For mixed gender activities, separate changing facilities must be made available.

### **Inappropriate Relationships with Children and Young People**

An adult must not enter into a sexual relationship with a child. Sexual intercourse, sexual activity, or inappropriate touching by an adult with a child under the age of 16 years is a criminal offence in Hong Kong.

An adult in a position of trust must not enter into a sexual relationship with a young person in their care. A sexual relationship between an adult in a position of trust and a young person over 16 years of age is a breach of trust and an abuse of the adult's position. Whilst it may not be a criminal offence, it will be treated very seriously and may result in HKRU disciplinary action, including suspension or barring from all rugby related activities.

No one in a position of trust should encourage a physical or emotionally dependent relationship to develop between them and a child or young person in their care; this is often referred to as "grooming".

### **Photography, Internet and Social Media**

Rugby is a public sport. All media that is recorded by the public while children or young people are playing rugby in public is in the public domain, and not the responsibility of the HKRU.

However, those who are bound by this Policy, including those taking photographs or media for HKRU use, must abide by the following media guidelines when taking, sharing or using photographs or media in relation to rugby in Hong Kong:

## Photography

- 1. The use of camera phones, videos, recording devices and cameras inside changing areas, showers and toilets is strictly prohibited at all times.**
2. All photos and media of children and young people should be respectful, appropriate, relevant to the nature of the HKRU, and not in any way disparaging or humiliating.
3. Children and young people must be appropriately dressed when being photographed. It is never acceptable to capture any images in changing rooms, showers or at any time when children or young people are dressing. Images should be neither sexual, of an exploitative nature nor open to misinterpretation or misuse.
4. As a guide, it is inappropriate to take photographs of children or young people who are not your own, without express parental consent.
5. Should a child, young person or the parents of a child or young person wish to not have their photo taken or published, their wishes should be upheld where it is within HKRU's ability to do so.

## Social Media and the Internet

- 6. Adults must never send children or young people inappropriate or sexually provocative messages or images.**
7. Parents are encouraged to review their privacy settings on social media prior to posting pictures of children and young people, including their own.
8. Personal information in a photograph which can lead to a child or young person being identified should never be published or uploaded in any way.
9. The use of social media and the internet in relation to rugby in Hong Kong should always be respectful and appropriate, and should not in any way disparage or humiliate children or young people.

## Tours

To the extent permissible by local laws, this Policy continues to apply when a team is on tour outside of Hong Kong.

## Transparency

Reasonable efforts should be made to educate Rugby Body members on what behavior is acceptable and what is not. As a bare minimum, this Policy should be available to all members of a Rugby Body, either online or in hard copy. The contact details of the Rugby Body SO should be readily available to all members and those who report suspicions and concerns should be confident that these will be treated seriously and confidentially.

## Transportation

Rugby Bodies, in particular Clubs, should develop a transport policy preferably publicised to parents via their website giving advice on transport arrangements for their children.

It should be made clear that in most instances it is the responsibility of parents, not the Rugby Body, to transport their child to and from the venue or nominated meeting point. If parents make arrangements between themselves this is a private arrangement and at the parents' discretion.

## Training Sessions and Games

Rugby is a contact sport and physical contact between participants including coaches is likely and unavoidable. Reasonable care must be taken to ensure the physical safety of participants. Coaches should not fear the repercussions of acceptable and appropriate levels of physical contact with their players who are children or young people in the course of rugby training. However, training sessions should be planned to avoid contact between coaches and players who are children or young people unless necessary for their safety or the proper demonstration of a skill or drill. For example, when teaching contact skills including tackling.

Where possible, coaching teams should consist of a minimum of two coaches. Coaches should avoid situations where they are the only adult supervising/coaching a session where children or young people are involved.

During games, coaches, managers and spectators should not intervene or enter the field of play unless the safety of a child or young person is at risk.

### **3. IDENTIFYING AND REPORTING**

#### **Definitions of abuse**

There are four main types of abuse: physical, sexual, emotional, and neglect. An individual may abuse or neglect a child or young person directly, or may be responsible for abuse by failing to prevent another person harming that child or young person.

#### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child or young person.

Examples of physical abuse in sport include extreme physical punishments; forcing a child or young person into training and competition that exceeds the capacity of his or her immature and growing body or limitations of a disability; assaulting a person; or where the child or young person is given drugs to enhance performance or in the case of a child, delay puberty.

#### **Sexual abuse**

Sexual abuse involves forcing a child or young person to take part in sexual activities, which may involve inappropriate touching, penetrative or non-penetrative sexual acts. They may include non-contact activities, such as involving children or young people in looking at, or in the production of, sexual photographic or online images, watching sexual activities, or encouraging children or young people to behave in sexually inappropriate ways.

#### **Emotional abuse**

Emotional abuse is the persistent maltreatment of a child or young person such as to cause severe and persistent adverse effects on their development. It may involve conveying to children or young people that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond their developmental capability, as well as overprotection and limitation of exploration and learning, or preventing them from participating in normal social interaction.

Emotional abuse may involve a child or young person seeing or hearing the ill-treatment of another as well as serious bullying, causing children or young people to feel frightened or in danger, or the exploitation or corruption of children or young people. Some level of emotional abuse is involved in all types of maltreatment of a child or young person, though it may also occur alone.

Examples of emotional abuse in sport include subjecting children or young people to constant criticism, name-calling, and sarcasm or bullying. It could also include their regular exclusion from an activity, non-selection for a team, failing to rotate squad positions or more subtle actions such as staring at or ignoring a child or young person. Putting players under consistent pressure to perform to unrealistically high standards is also a form of emotional abuse.

### Neglect

Neglect is the persistent failure to meet a child or young person's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development. Neglect may involve a parent failing to provide adequate food, clothing and shelter (including exclusion from home or abandonment), failing to protect a child or young person from physical and emotional harm or danger, or to ensure adequate supervision (including the use of inadequate care-givers) or to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or young person's basic emotional needs.

Examples of neglect in sport could include: not ensuring children or young people are safe; exposing them to undue cold or heat or unsuitable weather conditions, or exposing them to unnecessary risk of injury.

### Bullying

Bullying is often considered to be a fifth type of abuse but when it does occur it usually has elements of one or more of the four categories identified. The bully can be a parent who pushes too hard, a coach or manager with a 'win at all costs' attitude or another intimidating child or young person. It should also be recognised that bullying can take place in the virtual world of social networking sites, emails or text messages.

Bullying should not be ignored and the victim should be supported through what can be a traumatic experience. Bullying will not just go away. Bullies can be very cunning and develop strategies to avoid it being seen by anyone but the victim.

Bullying takes many forms but ultimately it is the perception of the victim that determines whether or not they are being bullied rather than the intention of the bully.

There are opportunities to bully at any Club, Rugby Body, or activity. The way that incidents are dealt with can make the difference between life being tolerable or becoming a misery for the victim.

### Poor Practice

Incidents of poor practice arise when the needs of children or young people are not afforded the necessary priority, compromising their wellbeing. Poor practice can easily turn into abuse if it is not dealt with as soon as concerns are raised or reported.

Examples of poor practice may be shouting, excessive training, creation of intra-Club 'elite squads', ridicule of players' errors, ignoring health and safety guidelines and failing to adhere to this Policy or the HKRU Code of Conduct.

The following guidelines are possible signs of harm and abuse to a child or young person. These may include a child or young person:

- changing their usual routine;
- beginning to be disruptive during training sessions;
- becoming withdrawn, anxious or lacking in confidence;
- having possessions going missing;
- becoming aggressive or unreasonable;
- starting to stammer or stopping communicating;
- having unexplained cuts or bruises;
- starting to bully other children;
- being frequently dirty, hungry or inadequately dressed;
- displaying sexual behaviour or using sexual language inappropriate for their age;
- seeming afraid of parents or carers;
- stopping eating;
- being frightened to say what is wrong;
- not wanting to attend training or Club activities, or even leaving the Club.

Some children or young people may be particularly vulnerable to abuse. These may include those with learning and/or physical disabilities. Particular care should be taken when dealing with such children or young people and where possible, specialist assistance from those with experience in dealing with such individuals should be sought.

All these forms of abuse are unacceptable and may result in barring or suspension from rugby in Hong Kong. More serious and criminal activity may in addition be reported to the police.

### **Reporting abuse**

The above indicators should always be taken seriously and any concerns should be reported to the SO. If you have a concern or are approached by anyone about a suspicion or allegation of abuse, you should immediately report this to your SO. If you believe that a child or young person is in immediate danger you should call the police. In their absence the committee of the Rugby Body or the SM should be informed at the earliest possible opportunity.

It is the responsibility of everyone to whom this Policy applies to identify and report signs of harm or abuse against children or young people and/or communicate concerns about the behaviour of an adult in relation to a child or young person. This relates to concerns that arise both within the rugby environment and outside of the rugby environment.

The SO or SM as the case may be will consider the appropriate action to be taken. This may involve investigation into the allegation themselves, or if the matter is potentially more serious it may be referred to the appropriate authorities.

### **Incident Referral**

All incidents, suspicions and concerns regarding a child or young person must be reported to the SO as soon as possible. Once the SO receives notification of an incident, allegation or

disclosure they will follow the Safeguarding Incident Reporting Instructions. Investigations will be concluded as quickly as possible to ensure that those guilty of causing harm are dealt with expeditiously and those falsely or mistakenly accused are able to return to the game with their reputation intact.

Once the HKRU assumes management of a case the referring Rugby Body should take no further action until advised to do so by the HKRU or relevant authority. The HKRU will ensure that the referring Rugby Body is kept informed of procedure and progress to the extent permitted by law.

HKRU will cooperate with all government authorities in the investigation of an alleged incident of abuse.

#### **4. ENFORCEMENT**

The HKRU has jurisdiction to deal with any allegation of abuse of a child or young person or any breach of this Policy. Any allegation of abuse of a child or young person that is not referred to a government authority may be dealt with by the HKRU in accordance with this Policy and its related procedures.

##### **Suspension from Involvement in Hong Kong Rugby**

During any investigation process under this Policy, a temporary suspension order or suspension order against an individual may be issued by the HKRU. The individual's Rugby Body will be notified of the details in the event of this happening. Where an investigation process under this Policy is conducted by the Rugby Body alone, a temporary suspension order or suspension order against an individual may be issued by the Rugby Body.

The HKRU may report anyone removed from a Relevant Role to the Police.

##### **Useful Contacts**

SM – Please request contact information from [info@hkrugby.com](mailto:info@hkrugby.com)

SO – Contact details of your Club or Rugby Body CSO are available through your Club, Rugby Body, or the HKRU.

The Hong Kong Rugby Union - [www.hkrugby.com](http://www.hkrugby.com)

The Child Protection in Sport Unit of the National Society for the Prevention of Cruelty to Children - <https://thecpsu.org.uk/>

##### **Definitions**

For the purposes of this Policy:

1. An **employee** means a person employed by any Rugby Body under a contract of employment, whether part-time or full-time, and who is based in Hong Kong.
2. An **independent contractor** means a person who is engaged by any Rugby Body under a contract to provide services to any Rugby Body in Hong Kong and is not an employee of that Rugby Body.



3. A **volunteer** means a person who willingly provides services to any Rugby Body without remuneration, including any coaches, managers and Board/Committee members who are neither employees nor independent contractors.

### **Review**

This Policy may be reviewed and amended by the HKRU at any time. Any amendments will be published on the HKRU website.

9 September 2016

## APPENDIX 1

### HKRU SAFEGUARDING DECLARATION

#### To be completed by all applicants for Relevant Roles

Under the Hong Kong Rugby Union's (the "HKRU") Safeguarding Policy, those who intend to be employed or volunteer in a role which involves or is likely to involve regular contact with children or young people (any person under the age of 18) in relation to rugby (a "Relevant Role") must complete the following declaration ("Declaration") to prove their suitability to work with children or young people.

If you do not complete the Declaration, you may not be engaged in a Relevant Role. If your Declaration is later discovered to have been false in any material respect, you will be immediately removed from any Relevant Role.

Full Name (English and Chinese (if any))	
Date of Birth	
Contact Email address	
Telephone Number	
Club or Rugby Body	
Proposed Relevant Role for Club or Rugby Body	<input type="checkbox"/> Coach <input type="checkbox"/> Manager <input type="checkbox"/> Referee <input type="checkbox"/> SO <input type="checkbox"/> SM <input type="checkbox"/> First Aid/Physio Other (please specify) _____
Previous experience and qualifications in proposed role (if any)	
What (if any) is your connection to the Club or Rugby Body?	

#### Declaration

You must provide the following information:

	YES	NO
Do you have criminal charge/s pending against you before the courts in Hong Kong or elsewhere? (excluding minor traffic offences)		
Do you have criminal conviction/s or findings of guilt against you for sexual offences, offences related to children, or acts of violence in Hong Kong or elsewhere?		
Do you have, or have you had, disciplinary proceedings brought against you by an employer, sporting organisation or similar body involving allegations of child abuse, sexual misconduct, sexual harassment, any other form of harassment, or acts of violence?		
Have you served or are you currently serving a sanction for an anti-doping rule violation under a Hong Kong Anti-Doping Committee ("HKADC") approved anti-doping policy applicable to you?		
Have you participated in, facilitated, or encouraged practices prohibited by the World Anti-Doping Agency Code or any other HKADC approved anti-doping policy applicable to you?		
Are you aware of any other matter/s which would make you unsuitable to work closely with children or young people?		

If you answer "YES" to any of the questions above, you may be required to speak to a Safeguarding Officer ("SO").

I confirm that I have received and read a copy of the HKRU Safeguarding Policy (the "Policy"). I agree to adhere to the terms of the Policy as amended from time to time, and commit to the HKRU Child Protection Pledge;

I pledge to do the following when I am involved in activities with children and young people;

1. I will make sure my own behaviour is calm and respectful and I will be clear about the standards of behaviour I expect from children and young people
2. If there is anger and disagreements between children and young people I will call a time out and try to resolve the issues calmly
3. I will not try to punish a child by mocking, teasing, or laughing at them or trying to embarrass them in front of others
4. I will not hit or strike a child as punishment for bad behaviour
5. I will not behave sexually toward a child or touch them in a sexual way
6. I will do everything I can to make sure the physical environment where the children are playing is as safe and appropriate as possible

I confirm that all of the statements made by me above are true and correct on the date of signing. I will notify the SO of the Rugby Body for whom I am undertaking any Relevant Role immediately upon becoming aware that any matter set out above has changed. In the absence of the SO, I will notify a member of the Club Committee or Board of the Rugby Body.

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Declared on ...../...../.....(date)

If you have any questions you may speak with your SO prior to completing the Declaration. In addition to completing this Declaration, you may be required to speak in confidence with the SO to discuss your suitability for the proposed role.

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**This section is to be completed by the parent or guardian of any person under the age of 18 who wishes to perform a Relevant Role.**

If you wish to undertake a Relevant Role but are under the age of 18, the additional consent of your Parent/Guardian is required. You must sign where indicated above, and have your parent or guardian sign where indicated below.

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

.....

Name:.....

Relation to Applicant:.....

Date: .....

### **Personal Information Collection Statement**

The personal information collected from you in the above Declaration, is hereafter collectively known as "Personal Data".

#### **Purpose**

The Personal Data is collected for the purpose of safeguarding the welfare of children and young people in rugby. The purpose of the Declaration is to assess the suitability of all persons who may come into contact with children and young people through Relevant Roles with the HKRU and the Rugby Bodies.

The Personal Data provided allows the HKRU and Rugby Bodies to ensure that all those working in a Relevant Roles are kept up to date with the provisions and requirements of the Policy from time to time, and ensures that the HKRU and Rugby Body is able to contact them where necessary.

You consent to the use of your email address and/or telephone number to contact you in relation to your Declaration, your Relevant Role, or the Policy.

You consent to the HKRU and/or the recruiting Rugby Body contacting any referees provided by you.

#### **Possible Transferees**

In order to ensure your suitability for engagement in a Relevant Role, the Personal Data provided by you will be shared with the Committee or Board and the Safeguarding Officer ("SO") of the Rugby Body engaging you, the Safeguarding Manager (the "SM"), and those involved with safeguarding at or working with the HKRU. The Personal Data collected will not be disclosed to other parties without your express approval, unless required by law.

#### **Obligations**

You are required to provide all of the information requested by the Declaration. If you are unable to complete the Declaration you may be required to speak to the SO at the recruiting Rugby Body. The recruiting Rugby Body will then make a final decision on whether to engage you in a Relevant Role. Prior to that decision, you are not permitted to undertake any Relevant Role.

#### **Right of Access**

You have the right to request access to, and correction of, your Personal Data. Any such request should be made to the SO of your Rugby Body.

Your Personal Data will be retained for the duration of your engagement in a Relevant Role, and for the period of any investigation against you under this Policy, or as otherwise required by law.

Please note that should you request to amend your Personal Data such that the Declaration is incomplete, you may no longer be permitted to be engaged in any Relevant Role.

Neither the HKRU nor the Rugby Body will use your Personal Data for the purposes of direct marketing.

The HKRU and Rugby Bodies are committed to protecting the privacy, confidentiality and security of your Personal Data by complying with the requirements of Personal Data (Privacy) Ordinance with respect to the management of personal information. The HKRU is committed to ensuring that all Rugby Body employees, independent contractors and volunteers uphold these obligations unless required otherwise by law.