



# SAFEGUARDING MINORS POLICY

## **WARNING**

Information contained in this document is intended for flight simulation purposes only.

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## Control Pages

### *Document Identification*

Document Identification	
Type	Policy
Version	1.1
Issue Date	09JUN20
Effective Date	09JUN20
Scope	This policy applies to all the constituent components that comprise the VATSIM network. It applies to all levels of the organisation, including, but not limited to, the Founders, the Board of Governors, the Executive Committee, the component Regions, their subsidiary Divisions and all structures comprising each division.
Prepared by	Mark Richards – Vice President, Operations
Approved by	VATSIM Board of Governors on 05JUN20
Policy Owner	Vice President, Operations
Review date	1 July 2021
Identification	VATSIM-POL-Safeguarding Minors

### Revision Records

Revision Number	Date	Description of Change	Author
0.1	01JUL19	Draft Policy for BoG Review and Comment	MR
0.2	05JUL19	Update following BoG comment	MR
0.3	11JUL19	Update following further BoG comment	MR
1.0	20JUL19	Release version	MR
1.1	09JUN20	Updated document to remove requirement for parental consent and minor corrections	BoG

### Related Documents

Document Name	Document Identification
Nil	Nil

# 1 Preamble

This document contains material relating to health and safety matters. If anything in this document raises any concern for you personally you should seek help from a local health or safety organisation.

## 2 The Purpose and Scope of this Policy

### 2.1 Policy Statement

VATSIM works with children and families as part of its activities. These *include* providing an online network from which members, including children, simulate online virtual aviation, including flying flight simulators and/or providing virtual Air Traffic Control services.

Applications are accepted from members once they have attained the age of 13 years.

Interaction occurs in an online environment with users of all ages, anywhere in the world. Services include an ability to communicate via voice and text in both public and private. Members may also attend meetings, fly-ins, conventions and other activities in person.

VATSIM takes the protection of children and young people seriously and places an obligation on members to report breaches of this policy. This policy places a further obligation on any member receiving a report to take action. The priority of this policy is to protect children and young people.

### 2.2 Purpose

The purpose of this policy is to protect children and young people who participate in VATSIM's services.

Additionally, this policy provides parents, staff and volunteers with the overarching principles that guide our approach to child protection, including the process for reporting breaches of the policy.

Nothing in this policy overrides any legal or moral obligation to report any possible incidents to any law enforcement agency in any country, especially when a child and young person is in immediate risk.

### 2.3 Scope of Members Affected by the Policy

This policy applies to:

1. Any member of VATSIM who has been issued a VATSIM Certificate ID number.

2. Any person in attendance with any member of VATSIM, whether they hold a VATSIM Certificate ID or not, when the VATSIM member is participating with activities on the VATSIM network, participating in officially sanctioned VATSIM events, conventions, conferences, or any other interaction with VATSIM including online chat, forums, social media and the like.

Any member who has been permanently suspended from the network, either in accordance with any provision of the VATSIM Code of Regulations or due to voluntarily relinquishing their VATSIM Certificate ID number is no longer considered a VATSIM member and therefore not subject to this policy, except as outlined in point 2 above.

### 3 Definitions

**Board of Governors:** The Board of Governors as outlined in the VATSIM Code of Regulations.

**Child or Young Person:** Any member of VATSIM who has not yet had their 18<sup>th</sup> birthday in their country of residence.

**Code of Regulations:** The VATSIM Code of Regulations as displayed on the VATSIM Website.

**Division:** A Division of VATSIM as outlined in the VATSIM Code of Regulations and includes any “sub-division” (e.g. ARTCC, vACC etc.).

**Law Enforcement Agency:** Any Police Department, or other Government or Statutory Authority who has responsibility under local laws of State, Territory, Province, Country or otherwise, to enforce breaches of criminal law.

**Region:** Any Region of VATSIM as outlined in the VATSIM Code of Regulations.

**Serious Misconduct Panel:** A panel of no less than three Board of Governor members as outlined in this policy who oversee complaints where breaches of this policy are suspected.

**User Agreement:** The VATSIM User Agreement as displayed on the VATSIM Website.

**Whistleblower:** A whistleblower is a person who exposes any kind of information or activity that is deemed illegal, unethical, or not correct within VATSIM.

## 4 Risks to be aware of

### 4.1 *Risks to which all members of VATSIM must be alert to include:*

- sexual harassment, abuse and exploitation
- negligent treatment
- physical or emotional abuse
- bullying or harassment
- health and safety
- extremism and radicalisation
- discrimination on any grounds
- conviction of any sexual offences against children or young people where the records are publicly available

### 4.2 *Non-Discrimination against whistleblowers*

In order to encourage a VATSIM member to speak up about illegal, unethical, or incorrect behaviour involving anyone of any age toward a child or young person, all whistleblowers who report a breach of this policy shall be afforded support by VATSIM and its staff, including staff from Regions and Divisions.

Individuals who report concerns in good faith and in accordance with this policy can expect:

- their disclosure to be treated in confidence by VATSIM if they so request, to the extent that maintaining confidentiality is possible and appropriate
- their identity to be kept confidential if they so request, to the extent that is possible and appropriate
- to be advised if their disclosure or identity is unable to be kept confidential and to understand the reasons why (information may have to be disclosed for instance in order to properly investigate and address the disclosure)
- to be protected to the extent possible by the organisation from repercussions or victimisation as a result of having made the disclosure



## 5 Process for reporting serious wrongdoing

An individual who is concerned about a particular issue related to wrongdoing against any child or young person is encouraged to report that to the VATSIM Serious Misconduct Panel.

The VATSIM Serious Misconduct Panel shall consist of:

- VATSIM President (email: [president@vatsim.net](mailto:president@vatsim.net))
- VATSIM Vice President, Operations (email: [vpops@vatsim.net](mailto:vpops@vatsim.net))
- VATSIM Vice President, Supervisors (email: [ypsup@vatsim.net](mailto:ypsup@vatsim.net))

Reports should be made in writing, in an email, to all members of the Serious Misconduct Panel. The subject of the email should be **Report of Alleged Misconduct Against Child or Young Person**.

The members of the Serious Misconduct Panel should be:

- independent of the issue
- in a position to do something about the disclosure - whether that is to refer it to the appropriate authority for further investigation or to investigate the matter on the organisation's behalf
- in a position to put in place any immediate steps that might be necessary to protect the organisation, the public or individuals likely to be affected

Where any member, or members, of the Serious Misconduct Panel is not independent of the issue, they will immediately recuse themselves from the panel and the remaining member(s) will appoint a replacement member(s) (from the Board of Governors).

Should any member, or members, of the Serious Misconduct Panel, not be available to perform their duties in a timely manner, the remaining member(s) will appoint a replacement member(s) (from the Board of Governors).

The Serious Misconduct Panel may determine that it would be more appropriate to report the concern to an appropriate law enforcement agency. In considering whether it is appropriate to report to an external authority, the Serious Misconduct Panel should consider whether in the opinion of the Panel members:

- the issue is sufficiently serious to involve an external authority
- immediate referral to an external authority is necessary because of urgency or other exceptional circumstances

## **6 Reporting members suspected of being charged with, or convicted of, sexual crimes against a child or young person**

Where any member suspects that a member of VATSIM has been charged with, or convicted of, sexual crime against a child or young person, whether or not that child or young person is a member of VATSIM, they shall immediately report to this the VATSIM Serious Misconduct Panel, as outlined in Section 5 of this policy.

When reporting such concerns, the information must be publicly available either via a bona fide law enforcement website or confirmed media outlet.

Before taking any action, the Serious Misconduct Panel must be satisfied, on the balance of probabilities, that the person is a member of VATSIM.

## 7 Responsibilities of individuals reporting concerns

Where allegations of wrongdoing are involved, particular care should be taken. They can be very damaging for an organisation or individuals if not handled responsibly. This is especially important where the individuals concerned have not had an opportunity to respond or the individual reporting the wrongdoing does not know the full facts.

Individuals who report concerns shall:

- do so in good faith – honestly and for genuine reasons
- use their judgment and discretion
- advise any concerns they have about making the disclosure or their identity being disclosed
- cooperate with any investigation into the disclosure, and provide further information where that is available and requested by the organisation
- alert the organisation promptly if they think they have been subjected to retaliatory treatment or victimisation as a result of the disclosure.

If an individual makes a malicious or deliberately false disclosure, VATSIM will address the matter with the individual concerned, by way of a disciplinary or other process as appropriate.

## 8 Responsibilities on receiving a report

Where any staff member from any Region or Division (including any Sub-Division) receives a report of a breach of this policy, they shall immediately report this as outlined in Section 5 of this policy.

When the Serious Misconduct Panel has concerns reported to them they must ensure that appropriate steps are taken following the disclosure to address the issue. The precise steps taken will depend on the nature, seriousness and circumstances of the issue disclosed.

The Serious Misconduct Panel shall ensure that:

- immediate steps are taken as necessary to protect the organisation, the public and any individuals, especially the affected child or young person, likely to be affected
- the disclosure is escalated as appropriate to ensure that it is addressed promptly and appropriately
- the report will be acknowledged and any information as to the next steps will be provided, in writing (e.g. by email), within two working days of receipt
- the disclosure will, if appropriate, be investigated promptly and fairly, in accordance with any relevant or applicable policies and procedures of VATSIM
- if the concern is well-founded, the issue is addressed promptly and appropriately and external agencies are notified or involved where appropriate
- if the individual who has made the disclosure wishes the disclosure or his or her identity to be kept confidential, those wishes are respected to the extent possible and appropriate
- if the disclosure or identity of the individual who made it cannot be kept confidential, the individual is advised of that and of the reasons his or her disclosure or identity cannot be kept confidential

Nothing within this policy prohibits VATSIM from permanently or temporarily suspending any member of VATSIM during an investigation in accordance with the provisions of the Code of Regulations and/or User Agreement.