



**Australian Sport and Recreation Association for Persons with
Integration Difficulties Inc.**

Member Protection Policy

VERSION [7]

[Adopted by AUSRAPID – 28th February 2014]

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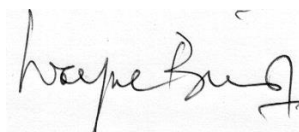
PREFACE

AUSRAPID is unique in that it does not conduct events, but facilitates the inclusion of athletes with integration difficulties into mainstream activities.

1. This Member Protection Policy **ONLY** applies to events or activities specifically auspiced by AUSRAPID or our State/Territory Member Organisations (e.g. AGM, Workshops, Management, Global Games etc.). It has been developed to ensure the safety, well-being and protection of all persons (players/athletes, coaches, officials, spectators, volunteers, board members, employees and parent/guardians) when participating in or involved with sport or activities auspiced by AUSRAPID or our affiliated members.
2. In all other cases, National and International sporting events or activities organised or auspiced by National Sporting Organisations, (NSO's) persons (players/athletes, coaches, officials, spectators, volunteers and parent/guardians) participating will be protected by and need to comply with the Member Protection Policy of the respective NSO.
3. AUSRAPID will take a lead role with NSO's, SSO's, APC, School Sport etc. and any other relevant organisation to ensure:
 - 3.1 Their respective Member Protection Policy meets current legal standards and reflects the principals promoted in the AUSRAPID Member Protection Policy,
 - 3.2 That all events and/or activities conducted for persons involved with AUSRAPID are done so in a safe sporting environment.
 - 3.3 Where a person with integration difficulties commits an offence and is unable to satisfactorily represent themselves we will make every effort to provide an advocate.
4. AUSRAPID will ensure a safe environment for everyone, in particular for children, which is free from harassment, abuse, discrimination and all other inappropriate behaviour, and promotes positive behaviour and values.
5. An integral component of the policy is the code of conduct, which outlines and states the behaviour and ethical conduct expected to be adhered to by all persons. AUSRAPID will also liaise with NSO's in the development of mutually agreed code of conduct policies for all concerned.
6. The President, CEO and Member Protection Information Officer of AUSRAPID are committed to ensuring the successful implementation of the policy.



*Chief Executive Officer
AUSRAPID*



*President
AUSRAPID*

Friday 31st January 2014

REVIEW HISTORY OF AUSRAPID'S MEMBER PROTECTION POLICY

<i>Version</i>	<i>Date reviewed</i>	<i>Date endorsed</i>	<i>Content reviewed/purpose</i>
<i>One</i>	<i>Created 17th January 2004</i>	<i>Never endorsed before amendments</i>	<ul style="list-style-type: none"> • Template developed to assist sporting organisations meet legal obligations and moral responsibilities in relation to harassment-free sport and child protection
<i>Two</i>	<i>13th October 2004</i>	<i>1st January 2005</i>	<ul style="list-style-type: none"> • Template rewritten to reduce legalese and make it easier for sporting organisations review and revise their policies • Sample codes of conduct, record keeping information and policy position statements on child protection, harassment and sexual relationships developed • Child Protection requirements revised to reflect changes to child protection legislation • Complaints handling procedures reviewed and expanded to provide sports with more options for managing complaints.
<i>Three</i>	<i>June 2006</i>	<i>1st July 2006</i>	<ul style="list-style-type: none"> • QLD Child Protection requirements updated to reflect changes in legislation. • Information on WA Child Protection requirements added to reflect new legislation
<i>Four</i>	<i>February 2007</i>	<i>1st March 2007</i>	<ul style="list-style-type: none"> • Part B restructured to allow new attachments to be added • Reference to The Essence of Australian Sport (2) • Amendments to the Dictionary (discrimination and harassment) • Minor amendment to the Anti-discrimination and harassment Policy Statement (7.2) • Second version of suggested wording for Sexual Relationships Policy Statement added (7.3) • Suggested wording for Pregnancy Policy Statement added (7.4) • Suggested wording for Gender Identity Policy Statement added (7.5) • Ability for sports to include reference to other relevant existing policies (7.6) • QLD and NSW Child Protection attachments updated to reflect changes in legislation (Part B) • Information on SA and VIC Child Protection requirements added to reflect new legislation (Part B) • Minor changes to wording to investigation of child abuse procedures (Part C)
<i>Five</i>	<i>September 2009</i>	<i>December 2009</i>	<ul style="list-style-type: none"> • Inclusion of clause on taking images of children • Revised to cover amendments to child protection laws • Reduction in/simplified wording in attachments • Optional inclusion of duty statements • Modified to provide national and club versions of the template • Reference to cyber bullying included (6.3) • General Code of Behaviour removed

<i>Six</i>	<i>May 2012</i>		<ul style="list-style-type: none"> • Position statements in Part A expanded in Section 6 Child Protection • Introduction of additional recommended Policies in Section 6 • Modified wording in section 7.1 • Modified wording in 7.2 heading • Update to Part C Working with Children Checks to incorporate changes to State/Territory requirements • Addition of reporting requirements by State/Territory in Part E
<i>Seven</i>	<i>January 2014</i>		<ul style="list-style-type: none"> • Introduction to the template shortened and simplified • Template rewritten in plain language to make it easier for sporting organisations to review and update their policies • Links to relevant resources included in the template; for example, links to guidance on developing an Alcohol Policy or a Communications Policy on the Play by the Rules website • Dictionary of terms shortened and simplified • Short introductions included in the template to Part B: Codes of Behaviour; Part C: Working with Children Check Requirements; Part D: Complaint Handling Requirements; and Part E: Reporting Requirements and Documents/Forms • All attachments rewritten in plain language and links to fact sheets and other relevant information included, as appropriate Information in Part C: Working with Children Check Requirements edited and contact details and links included for relevant government agencies in each state and territory

PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

AUSRAPID's Core Values

Mission

Facilitate the provision of mainstream sport and recreation opportunities for persons with integration difficulties at local, State, National and International level

Statement of Purpose

Achieve greater sporting and recreational opportunities for persons with integration difficulties by fostering community/family awareness of their needs.

Co-ordinate the services which currently bring sporting and recreational opportunities to persons with integration difficulties.

Initiate new opportunities and encourage existing generic organisations to include persons with integration difficulties in their programs.

Develop a resource centre which would foster sporting and recreational opportunities for persons with integration difficulties.

Provide opportunities for the development of a resource bank within the regular sporting and recreational organisations – resources including personnel who would be available to conduct or act as consultants for sporting and recreational programs for persons with integration difficulties.

Encourage organisations with the responsibility for the development of persons with integration difficulties to accept that recreation and sporting opportunities are a vital component in the lifestyle of every individual.

Co-operate and liaise with all other organisations that have comparable objectives.

Promote and arrange functions, activities and (subject to the law relating thereto) raffles, lotteries and bingo for the raising of funds for the above mentioned purposes.

Affiliate with or enter into alliance with any other National or International organisation or association having objectives similar to or calculated to benefit generally the members of the association.

Support the activities of all State and Territory sporting and recreation associations for persons with integration difficulties and co-operate with these associations to secure the advantage of unity of action in all matters affecting their interests.

Encourage governments to allocate funding so that persons with integration difficulties can access sporting and recreational programs.

Encourage tertiary institutions to provide specific training courses for students wishing to work in the sporting and recreational field with persons with integration difficulties.

2. Purpose of this policy

This Member Protection Policy (“policy”) aims to assist AUSRAPID to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our events/activities. It sets out our commitment to ensure that every person involved in our events/activities is treated with respect and dignity and protected from discrimination, harassment and abuse. It also ensures that everyone involved in our events/activities is aware of their legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The policy attachments describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our events/activities. As part of this commitment, AUSRAPID will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by AUSRAPID Board and has been incorporated into our By-Laws. The policy starts on 28 February 2014 and will operate until replaced.

The current policy and its attachments can be obtained from our website at: www.ausrapid.org.au or a copy can be obtained from the AUSRAPID Office at 4 Lowry Place, Benalla, Victoria, 3672.

This policy is supported by Member Protection Policies that have been adopted and implemented by our member organisations.

3. Who is bound by this policy

In activities which AUSRAPID conducts e.g. workshops, forums, AGM, meetings and in the coordination of national teams where an NSO is not involved, this policy applies to the following, whether they are in a paid or unpaid/voluntary capacity:

- 3.1 persons appointed or elected to national boards, committees and sub-committees
- 3.2 employees of AUSRAPID
- 3.3 members of the AUSRAPID Board
- 3.4 support personnel, managers, physiotherapists, psychologists, masseurs, sport trainers and others
- 3.5 coaches and assistant coaches
- 3.6 registered athletes
- 3.7 referees, umpires and other officials
- 3.8 member organisations, including life members of AUSRAPID
- 3.9 athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by AUSRAPID
- 3.10 Any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy

This policy also applies to:

- 3.11 Sponsor, individual and affiliated members or associated organisations

This policy will continue to apply to a person/organisation even after they have stopped their association or employment with AUSRAPID, if disciplinary action against that person/organisation has begun.

4. Organisational Responsibilities

AUSRAPID and its State/Territory Member Organisations must:

- 4.1 adopt, implement and comply with this policy
- 4.2 ensure that the Constitution, By-laws or other rules and policies include the necessary clauses for this policy to be enforceable
- 4.3 publish, distribute and promote this policy and the consequences of any breaches
- 4.4 promote and model appropriate standards of behaviour at all times
- 4.5 deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner
- 4.6 apply this policy consistently
- 4.7 recognise and enforce any penalty imposed under this policy
- 4.8 ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 4.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour (e.g. Member Protection Information Officer where possible)
- 4.10 monitor and review this policy at least annually.

5. Individual responsibilities

Individuals bound by this policy are responsible for:

- 5.1 making themselves aware of the policy and complying with the codes of behaviour it sets out
- 5.2 consenting to our screening requirements and any state/territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18
- 5.3 placing the safety and welfare of children above other considerations
- 5.4 being accountable for their behaviour
- 5.5 following the steps outlined in this policy for making a complaint or reporting possible child abuse
- 5.6 complying with any decisions and/or disciplinary measures imposed under this policy.

6. Position statements

6.1 Child protection

AUSRAPID is committed to the safety and well-being of all children and young people who participate in our events/activities or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

6.1.1 Identify and analyse risk of harm

We will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

6.1.2 Develop codes of behaviour

We will develop and promote a code of behaviour that sets out the conduct we expect of adults when they deal and interact with children involved in sport or our events/activities, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children.

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (Refer to the attachments in Part B of this policy.)

6.1.3 Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation engages suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This will include using a range of screening measures.

We will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements. (Refer to the attachments in Part C)

6.1.4 Support, train, supervise and enhance performance

We will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment.

6.1.5 Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our events/activities.

6.1.6 Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected. (Refer to the attachments in Part E)

Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint. (Refer to the attachments in Part D)

6.2 Taking images of children

Images of children can be used inappropriately or illegally. AUSRAPID requires that individuals and organisations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our events/activities and we will ensure that they are suitably clothed in a manner that promotes participation in sport. We will seek permission from the parents/guardians of the children before using the images. We require our member associations and clubs to do likewise.

6.3 Anti-discrimination and harassment

AUSRAPID aims to provide an environment where all those involved in our activities and events are treated with respect.

We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

We prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the "Definitions" set out in our Dictionary of Terms [see clause 10]. In most circumstances, this behaviour is against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, they may make an internal complaint. In some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part D of this policy.)

6.4 Sexual relationships

AUSRAPID takes the position that consensual sexual relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image.

These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach and the athlete.

If a sexual relationship exists between an athlete and a coach, we will consider whether disciplinary action is necessary. Factors that will be taken into account include the relative age and maturity of the athlete to the coach, the financial or emotional dependence of the athlete on the coach and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

If we determine that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If an athlete attempts to initiate an intimate sexual relationship with a coach, it is the coach's responsibility to discourage the approach and to explain why such a relationship is not appropriate.

The coach or athlete may wish to seek advice or support from the Member Protection Information Officer if they feel harassed. Our complaints procedure is outlined in Part D of this policy.

6.5 Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in our events/activities should be removed. We will not tolerate any discrimination or harassment against pregnant women.

AUSRAPID will take reasonable care to ensure the safety, health and well-being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved and encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and well-being, and that of their unborn children, are of utmost importance in their decision-making about the extent they choose to participate in our events/activities.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our events/activities. We will only require pregnant women to sign a disclaimer if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman feels she has been harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. (Refer to the attachments in Part D of this policy.)

6.6 Gender identity

AUSRAPID is committed to providing a safe, fair and inclusive environment where people of all backgrounds can contribute and participate. People who identify as transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual. If a transgender or transsexual person feels he or she has been harassed or discriminated against by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in Part D of this policy.)

AUSRAPID recognises that excluding transgender and transsexual people from participating in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, we will support their participation in our events/activities on the basis of the gender with which they identify.

We also recognise that there is debate over whether a male-to-female transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, we will seek advice on the application of those laws in the particular circumstances.

Drug testing procedures and prohibitions also apply to people who identify as transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

6.7 Responsible service and consumption of alcohol

AUSRAPID is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that state/territory member organisations follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18
- alcohol-free social events will be provided for young people and families
- food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served
- an AUSRAPID representative will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed
- safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.

6.8 Smoke-free environment

AUSRAPID recommends that the following policies be applied to all sporting and social events that we hold or endorse.

- No smoking shall occur at or near sporting events involving children and young people under the age of 18. The policy applies to coaches, athletes, officials and volunteers.
- Social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas.
- Coaches, officials, trainers, volunteers and athletes will refrain from smoking and remain smoke-free while they are involved in an official capacity in sport, both on and off the field.

6.9 Cyber-bullying

AUSRAPID regards bullying and harassment in all forms as unacceptable in our events/activities. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments.

AUSRAPID will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a punishable criminal offence.

Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league or peak sporting body.

6.10 Social networking websites

AUSRAPID acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote AUSRAPID and celebrate the achievements and success of the people involved in sport.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our events/activities.

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of others
- should promote the sport in a positive way.

7. Complaints procedures

7.1 Handling complaints

AUSRAPID aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of natural justice.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been harassed, bullied or discriminated against or there has been a breach of this policy.

In the first instance, complaints should be reported to the MPIO or AUSRAPID Chief Executive Officer. Contact details for MPIO can be obtained by contacting the AUSRAPID office on 03 5762 7494 or email mail@ausrapid.org.au

If a complaint relates to behaviour or an incident that occurred at:

- state level, or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state/territory member organisation in the first instance

Only matters that relate to, or which occurred at, the national level, as well as serious cases referred from state/territory level, should be dealt with by AUSRAPID.

A complaint may be handled informally or formally. The complainant will usually indicate his or her preferred option unless the MPIO/CEO considers that the complaint falls outside this policy and should be handled another way. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment [D1].

Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

7.2 Improper complaints and victimisation

AUSRAPID aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the MPIO/CEO considers that a complainant has KNOWINGLY made an untrue complaint, or the complaint is malicious or intended to cause distress to the respondent, the matter may be referred to a Tribunal for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

AUSRAPID aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the MPIO/CEO will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to negotiate on behalf of the complainant and/or the respondent.

More information on the mediation process is outlined in Attachment [D2].

7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by the CEO
- referred to it or escalated by a state association] [because of the serious nature of the complaint, because it was unable to be resolved at the state level or because the policy of the state association directs it to be and/or
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment [D3].

A respondent may only lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Attachment [D3].

Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

8. What is a breach of this policy?

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

- 8.1 breaching the codes of behaviour (see Part B of this policy)
- 8.2 bringing AUSRAPID into disrepute,
- 8.3 failing to follow AUSRAPID policies (including this policy) and our procedures for the protection, safety and well-being of children
- 8.4 discriminating against, harassing or bullying (including cyber-bullying) any person
- 8.5 victimising another person for making or supporting a complaint

- 8.6 engaging in a sexually inappropriate relationship with a person that he or she supervises, or has influence, authority or power over
- 8.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within sport
- 8.8 disclosing to any unauthorised person or organisation any AUSRAPID information that is of a private, confidential or privileged nature
- 8.9 making a complaint that they know to be untrue, vexatious, malicious or improper
- 8.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy
- 8.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary measures

AUSRAPID may impose disciplinary measures on an individual/organisation for a breach of this policy.

Any disciplinary measure imposed will be:

- fair and reasonable
- applied consistent with any contractual and employment rules and requirements
- be based on the evidence and information presented and the seriousness of the breach
- be determined in accordance with AUSRAPID's Constitution, By-laws, or policy.

9.1 Individual

Subject to contractual and employment requirements, if a finding is made by a Tribunal that an individual has breached this policy, one or more of the following forms of discipline may be imposed.

- 9.1.1 A direction that the individual make a verbal and/or written apology;
- 9.1.2 A written warning;
- 9.1.3 A direction that the individual attend counselling to address their behaviour;
- 9.1.4 A suspension of the individual's membership/participation or engagement in a role or activity;
- 9.1.5 Termination of the individual's membership, appointment or engagement;
- 9.1.6 A recommendation that AUSRAPID terminate the individual's membership, appointment or engagement;
- 9.1.7 Any other form of discipline that AUSRAPID considers appropriate.

9.2 Organisation

If a finding is made that a State/Territory Member Organisation has breached its own or this MPP, one or more of the following forms of discipline may be imposed by the Tribunal.

- 9.2.1 A written warning;
- 9.2.2 A direction that any rights, privileges and benefits provided to that organisation by AUSRAPID be suspended for a specified period;
- 9.2.3 A recommendation to the Member Organisation that its membership of AUSRAPID be suspended or terminated in accordance with the relevant constitution or rules;
- 9.2.4 Any other form of discipline that AUSRAPID considers reasonable and appropriate.

9.3 Factors to consider

The form of discipline to be imposed on an individual or organisation will depend on factors, such as:

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action
- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy)
- any other mitigating circumstances.

10. Dictionary of terms

This Dictionary sets out the meaning of words used in this policy and its attachments, without limiting the ordinary and natural meaning of the words. Further detail or definitions that are specific to different states and territories can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

Abuse is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

Child means a person who is under the age of 18.

Child abuse involves conduct which puts a child at risk of harm and may include:

- **physical abuse**, by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity)
- **sexual abuse** by adults or other children, where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography, including child pornography, or inappropriate touching or conversations)
- **emotional abuse**, by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name-calling, ignoring or placing unrealistic expectations on a child)
- **neglect** (e.g. failing to give a child food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

Complaint means a complaint made under clause [7] of this policy

Complainant means the person making a complaint.

Complaint handler/manager means the person appointed under this policy to investigate a complaint.

Discrimination occurs when someone is treated unfairly or less favourably than another person in the same or similar circumstances because of a particular personal characteristic. This is known as direct discrimination. Indirect discrimination occurs when a rule, policy or practice disadvantages one group of people in comparison with others, even though it appears to treat all people the same.

In Australia, it is against the law to discriminate against someone because of their:

- age
- disability
- family/carer responsibilities
- gender identity/transgender status
- homosexuality and sexual orientation
- irrelevant medical record
- irrelevant criminal record
- political belief/activity
- pregnancy and breastfeeding
- race
- religious belief/activity
- sex or gender
- social origin;
- trade union membership/activity.

Some states and territories include additional protected characteristics, such as physical features or association with a person with one or more of the characteristics listed above.

Examples of discrimination are available on the Play by the Rules website: www.playbytherules.net.au/legal-stuff/discrimination

Some exceptions to state and federal anti-discrimination law apply, such as:

- holding a competitive sporting activity for boys and girls only who are under the age of 12, or of any age where strength, stamina or physique is relevant
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular activity.

Harassment is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated. Unlawful harassment can target a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see the list under "Discrimination").

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also "Vilification").

Mediator means an impartial person appointed to help those people involved in a complaint to talk through the issues and resolve the matter on mutually agreeable terms.

Member means a State/Territory Member organisation of AUSRAPID or a person/organisation registered with AUSRAPID.

Member Protection Information Officer, MPIO, means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this policy. He or she provides impartial and confidential support to the person making the complaint.

Natural justice (or procedural fairness) requires that:

- both the complainant and the respondent must know the full details of what is being said against them and have the opportunity to respond
- all relevant submissions must be considered
- no person may judge their own case
- the decision-maker(s) must be unbiased, fair and just
- the penalties imposed must be fair.

Police check means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.

Policy, policy and this policy means this Member Protection Policy.

Registered Athlete means a person who is registered with AUSRAPID

Respondent means the person whose behaviour is the subject of the complaint.

Role-specific codes of conduct (or behaviour) means standards of conduct required of people holding certain roles in our organisation (e.g. coaches, officials, umpires).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which could reasonably be anticipated to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

Sexual offence means a criminal offence involving sexual activity or acts of indecency. Because of differences under state and territory laws, this can include but is not limited to:

- rape
- indecent assault
- sexual assault
- assault with intent to have sexual intercourse
- incest
- sexual penetration of child under the age of 16
- indecent act with child under the age of 16
- sexual relationship with child under the age of 16
- sexual offences against people with impaired mental functioning
- abduction and detention
- procuring sexual penetration by threats or fraud
- procuring sexual penetration of child under the age of 16
- bestiality
- soliciting acts of sexual penetration or indecent acts
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles.

Transgender is a general term applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

Victimisation means subjecting a person, or threatening to subject a person, to any unfair treatment because that person has or intends to pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make complaint.

Vilification involves a person or an organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of people having any of the characteristics listed under the definition of "Discrimination".

PART B: CODES OF BEHAVIOUR

We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our events/activities.

To achieve this, we require certain standards of behaviour of players/athletes, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of sport.
- To display respect and courtesy towards everyone involved in sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in sport.
- To encourage and support opportunities for participation in all aspects of sport.

Note: Codes of Behaviour are generally not binding on non-Members such as parent/guardians and spectators unless they have signed the Codes or other form/document agreeing to be bound by the codes and the Member Protection Policy. It may therefore be difficult to discipline a parent/guardian or spectator under this policy. This will vary for every organisation and depends on what measures have been taken to bind 'non-members' to the policy (e.g. through purchasing tickets to venues, through a child's membership form).

ATTACHMENT Final B – including

- Attachment B1: General Code of Conduct
- Attachment B2: Coach Code of Conduct
- Attachment B3: Official Code of Conduct
- Attachment B4: Player/Athlete Code of Conduct
- Attachment B5: Administrator (Volunteer) Code of Conduct
- Attachment B6: Employee Code of Conduct
- Attachment B7: Board Member Code of Conduct
- Attachment B8: Parent/Guardian Code of Conduct
- Attachment B9: Spectator Code of Conduct

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

We are committed to providing a child-safe environment. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Employment screening and Working with Children Checks can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, Australian Capital Territory, the Northern Territory and South Australia.

AUSRAPID, including our state associations and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Employment screening requirements will also be followed in Tasmania.

Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

ATTACHMENT Final C - Including

- Attachment C1: Screening requirements (for Tasmania only)
- Attachment C2: Member Protection Declaration
- Attachment C3: Working with Children Check requirements

PART D: COMPLAINT HANDLING PROCEDURES

We will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

We will provide individuals with an informal and formal process to resolve the matter, along with access to an external complaint handling body, based on their preferences and the nature of the complaint.

We also provide an appeals process for those matters where it is required.

We will maintain confidentiality as far as possible and ensure that no one is victimised for making, supporting or providing information about a complaint.

ATTACHMENT Final D - Including

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Tribunal procedure

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially and stored in a secure place.

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

We will ensure that everyone who works with our organisation in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in their state or territory.

ATTACHMENT Final E - Including

- Attachment E1: Confidential record of informal complaint
- Attachment E2: Confidential record of formal complaint
- Attachment E3: Handling an allegation of child abuse
- Attachment E4: Confidential record of child abuse allegation