



**HOCKEY AUSTRALIA
NATIONAL MEMBER PROTECTION POLICY**

VERSION 8
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REVIEW HISTORY OF HOCKEY AUSTRALIA MEMBER PROTECTION POLICY

Version	Date reviewed	Date endorsed	Content reviewed/purpose
One	May 2004	May 2004	
Two	August 2005		
Three	October 2005		
Four	July 2006		
Five	January 2008		
Six	August 2009		
Seven	January 2012	February 2012	Addition of smoking, alcohol, cyber bullying and social networking position statements
Eight	February 2014	2014	Minor editing throughout; working with children check requirements updated

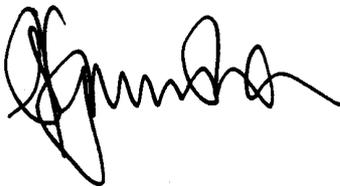
PREFACE

Hockey Australia Limited is committed to the health, safety and general wellbeing of all its members and participants. The organisation is dedicated to providing a safe and prosperous environment for members and providers participating in all Australian hockey activities.

As Australians, we greatly value the importance of sport in our culture and our community, and we all have the right to enjoy our sport, at whichever level we participate.

As a sport, we are proud to lead the way in ensuring Safe and Harassment Free Sport for all of our competitors, coaches, officials, administrators, volunteers and supporters.

I commend this Member Protection Policy to you and encourage all involved to ensure that hockey is a sport that is enjoyed by all.

A handwritten signature in black ink, appearing to read 'Stuart Grimshaw', with a stylized, cursive script.

Stuart Grimshaw
President
Hockey Australia Ltd

HOCKEY AUSTRALIA

PART A: HOCKEY AUSTRALIA MEMBER PROTECTION POLICY

1. Introduction

OUR VISION

**We will be respected as
an Australian &
International sporting
leader, demonstrating
innovation and
excellence in everything
we do.**

OUR VALUES

OUR PERSONALITY

**Integrity
Innovation
Excellence
Community**

**Passionate
Exciting
Courageous
Admired**

OUR POSITIONING

**Experience Hockey
*It's Simply Brilliant***

2. Purpose of this policy

This Hockey Australia (HA) Member Protection Policy (“policy”) will work towards maintaining ethical and informed decision-making and responsible behaviours within our sport. It outlines our commitment to a person’s right to be treated with respect and dignity and to be safe and protected from abuse. This policy informs everyone involved in our sport at the national level of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

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

This policy has been endorsed by the HA Board of Directors. The policy starts on 1 March 2014 and will operate until replaced. Copies of the current policy and its attachments can be obtained from the HA website at www.hockey.org.au or by contacting the HA National Office:

Level 5
409 St Kilda Road
Melbourne, VIC 3004
Ph- 03 9947 9900

For information on the rights, responsibilities and requirements for people involved in our sport at the state and club level, please refer to the member protection policies of the relevant state association or club.

3. Who this Policy Applies To

This policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity of HA:

- 3.1 Persons appointed or elected to boards, committees and sub-committees;
- 3.2 Employees of HA;
- 3.3 Members of the HA Executive;
- 3.4 Support personnel appointed or elected to national teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- 3.5 National coaches and assistant coaches;
- 3.6 National representative athletes;
- 3.7 National referees, umpires and other officials involved in the regulation of the sport;
- 3.8 Members, including life members of HA;
- 3.9 Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by HA;
- 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 the following associations:

- 3.11 Member associations;
- 3.12 Affiliated clubs and associated organisations.

Member associations are required to adopt and implement this policy and to provide proof to HA of the approval of the policy by the relevant board in accordance with its constitution. Member associations must also undertake to ensure that affiliated Clubs and individual Members are bound by this policy and are made aware of this policy and what it says.

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

4. Responsibilities of the Organisation

HA, State Associations, Affiliated Associations and/or Affiliated Clubs must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Make such amendments to its/their Constitution, Rules or Policies necessary for this policy to be enforceable;
- 4.3 Publish, distribute and promote this policy and the consequences of 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 the persons and associations to whom this policy applies;
- 4.9 Use appropriately trained people to receive and manage complaints and allegations e.g. Member Protection Information Officers (MPIOs);
- 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 its standards/codes of behaviour;
- 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 if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- 5.6 Complying with any decisions and/or disciplinary measures imposed under this policy.

6. Position Statements

6.1 Child Protection

HA is committed to the safety and well-being of all children and young people who participate in our sport 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.

HA will take the following measures to protect the safety and welfare of children participating in our sport.

6.1.1: Identify and Analyse Risk of Harm

HA will develop and implement a risk management strategy including a review of existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps 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 Conduct for Adults and Children

HA will ensure our organisation has codes of conduct that specify standards of conduct and care when dealing and interacting with children involved in hockey, especially those in our care. These codes of behaviour will set out professional boundaries, ethical behaviour and unacceptable behaviour. We will also implement a code of behaviour to promote appropriate behaviour between children. (See Part B).

6.1.3: Choose Suitable Employees and Volunteers

HA will take all reasonable steps to ensure that it 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. (See Part C).

6.1.4: Support, Train, Supervise and Enhance Performance

HA will ensure that volunteers and employees 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 In Decision-Making And Service Development

HA will encourage children and young people to be involved in developing and maintaining child-safe environments in hockey.

6.1.6: Report and Respond Appropriately To Suspected Abuse and Neglect

HA will ensure that volunteers and employees 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.

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. (See Part D).

6.2 Taking Images of Children

Images of children can be used inappropriately or illegally. HA requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way 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 an image of a child, HA will avoid naming or identifying the child or publishing personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not provide information about a child's hobbies, interests, school or the like as this information can be used by pedophiles or other persons to 'groom' children.

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

6.3 Anti-Discrimination and Harassment

HA 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.

HA prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the "Definitions" set out in our Dictionary. 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. (See Part D).

6.4 Sexual Relationships

HA takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided as these relationships can have harmful effects on the individual athlete involved, on other athletes and coaches, and hockey'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 coach, HA will consider whether any 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 approaches and to explain why such a relationship is not appropriate.

The coach or athlete may wish to seek advice or support from HA's MPIO if they feel harassed. (See Part D).

6.5 Pregnancy

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

HA 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 sport.

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 sport. 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. (See Part D)

6.6 Gender Identity

HA is committed to providing a safe, fair and inclusive sporting 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.

HA 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 sport 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.

HA is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an elite level, we will encourage them to obtain advice about the IOC's criteria, which may differ from the position we have taken.

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 Alcohol

HA 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 associations and member clubs follow state legislative requirements and 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
- a committee/board member 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 Smoking

HA requires that the following be applied to sporting and social events that we hold or endorse:

- no smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials, volunteers and parents
- social functions shall be smoke free, with smoking only permitted at designated outdoor smoking areas
- coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while they are involved in an official capacity in our sport both on and off the field.

6.8 Cyber Bullying/Safety

HA regards bullying and harassment in all forms as unacceptable in our sport. 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.

HA 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.

6.9 Social Networking

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

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport. 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 Complaint Handling

HA 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. Such complaints should be reported to HA's MPIO.

The lowest level at which a matter can be dealt with shall always be preferred. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- state level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance; or
- club level or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

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

A complaint may be handled informally or formally. The complainant will usually indicate his/her preferred option unless the MPIO of HA 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 complaint 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 & Victimisation

HA 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 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 the **CEO or Tribunal** for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

HA 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 will, in consultation with the complainant, arrange for an independent mediator where possible. We will 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 CEO or MPIO

- 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 state policy directs it to be
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in attachment D5.

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 D5.

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 (attachment B)
- 8.2 Bringing the sport and/or HA, a State Association, an Affiliated Association and/or an Affiliated Club into disrepute, or acting in a manner likely to bring the sport into disrepute
- 8.3 Failing to follow HA policies (including this policy) and our procedures for the protection, safety and welfare 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 the sport
- 8.8 Disclosing to any unauthorised person or organisation any HA information that is of a private, confidential or privileged nature
- 8.9 Making a complaint that they knew 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

HA may impose disciplinary measures on an individual or 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 our Constitution, By-laws, this policy and/or the rules of the sport.

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 withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by HA
- 9.1.5 A demotion or transfer of the individual to another location, role or activity
- 9.1.6 A suspension of the individual's membership or participation or engagement in a role or activity
- 9.1.7 Termination of the individual's membership, appointment or engagement
- 9.1.8 A recommendation that HA terminate the individual's membership, appointment or engagement
- 9.1.9 In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently
- 9.1.10 A fine
- 9.1.11 Any other form of discipline that HA considers appropriate.

9.2 Organisation

If a finding is made that a HA member or affiliated organisation has breached its own or this National Member Protection Policy, one or more of the following forms of discipline may be imposed by the HA Chief Executive or Board of Directors upon advice from the Hearing Tribunal:

- 9.2.1 A written warning
- 9.2.2 A fine
- 9.2.3 A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period
- 9.2.4 A direction that any funding granted or given to it by HA or a peak association cease from a specified date
- 9.2.5 A direction that HA and peak associations cease to sanction events held by or under the auspices of that organisation
- 9.2.6 A recommendation to HA and/or the state/affiliated association that its membership of HA or peak association be suspended or terminated in accordance with the relevant constitution or rules
- 9.2.7 Any other form of discipline that the national body or peak organisation considers to be 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:

- Nature and seriousness of the breach
- If the person knew or should have known that the behaviour was a breach

- Level of contrition
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences
- If there have been relevant prior warnings or disciplinary action
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy)
- Any other mitigating circumstances.

10. Dictionary

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.

Affiliated club means a club affiliated with an affiliated association or state association

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

Child abuse involves conduct which puts children 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 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 7.1.

Complainant means a person making a complaint.

Complaint Handler/Manager means a 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 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").

HA (HA) is the governing body for hockey in Australia.

Junior means a any person who is a member of HA, State Association, Affiliated Association and/or Club.

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 financial member or HA, State Association, Affiliated Association and/or Affiliated Club.

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. The MPIO 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 means this Member Protection Policy.

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 sport (e.g. coaches).

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, display 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 including but not limited to (due to differences under state/territory legislation):

- 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.

State/Territory Association (SA) is the peak hockey body in each state or territory affiliated with HA.

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 a 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”.

Young People/person means people in the 13-18 year age group.

PART B: CODES OF BEHAVIOUR

Attachment B1: Coaches/Managers/Team Officials Code of Behaviour

Attachment B2: Officials Code of Behaviour

Attachment B3: Player/Athlete Code of Behaviour

Attachment B4: Administrator Code of Behaviour

Attachment B5: Board Member Code of Behaviour

Attachment B6: Parent/Guardian Code of Behaviour

Attachment B7: Spectator Code of Behaviour

Attachment B1: Coaches/ Managers/ Team Officials Code of Behaviour

As a coach, manager or team official selected to represent HA, SA, AA or AC in an event that is conducted or sanctioned by HA, SA, AA or AC, you must meet the following requirements with regard to your conduct.

1. Treat all players with respect at all times.
2. Behave in a sportsmanlike manner at all times to other coaches, officials, players and spectators.
3. Place the safety and welfare of the players above all else.
4. Avoid situations that may lead to a conflict of interest.
5. Be courteous, respectful and open to discussion and interaction.
6. Make no detrimental statements in public in respect of the performance of any match officials or umpires.
7. Promote a climate of mutual support amongst the players. Encourage players to respect one another and their worth within the team.
8. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
9. Determine, in consultation with the player, what information is confidential and respect that confidentiality.
10. Avoid situations with your players that could be construed as compromising.
11. Adhere to the Anti-Doping Policy advocated by HA.
12. Provide a safe environment for training and competition.
13. Recognise individual differences in players and cater to these as best you can.
14. Make a commitment to providing a quality service to your players. Provide a training program which is planned and sequential. Maintain or improve your current NCAS accreditation, seek continual improvement through performance appraisal and ongoing coach education and be open to other people's opinions.
15. Refrain from using obscene, offensive or insulting language and/or making obscene gestures which may insult players, officials or spectators.
16. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

The Tournament Director and/or Event Coordinator are responsible for ensuring that the Code of Behaviour is met at all times.

Attachment B2: Official Code of Behaviour

As an Official of HA, SA, AA or AC you are required to comply with this policy. You must meet the following requirements in regard to your conduct during any activity held or sanctioned by HA, a member association or an affiliated club and in your role as an Official held HA, SA, AA or AC:

1. Treat all players with respect at all times.
2. Accept responsibility for all actions taken. Exercise reasonable care to prevent injury by ensuring players play within the rules.
3. Be impartial and maintain integrity in your relationship with other officials, players and coaches.
4. Avoid situations that may lead to a conflict of interest.
5. Not be in a position of individual and unsupervised contact with players under 18 years of age.
6. Be courteous, respectful and open to discussion and interaction.
7. Be a positive role model in behaviour and personal appearance by maintaining the highest standards of personal conduct and projecting a favourable image of hockey and officiating at all times.
8. Refrain from any personal abuse towards players.
9. Show concern and caution towards ill and injured athletes. Enforce the blood rule and apply procedures regarding ill or injured players according to the rules.
10. Abstain from the use of tobacco and the consumption of alcoholic beverages when officiating or whilst in uniform.
11. Adhere to the Anti-Doping Policy advocated by HA.
12. Make no public comments or media announcements without prior approval from your Tournament Director or Umpire's Manager.
13. Umpires – Wear only the official uniform supplied by HA when umpiring at the tournament.
14. Maintain the fitness level deemed acceptable when your appointment to the tournament was made.
15. Abide by all relevant policies documented by HA in relation to your appointment at a HA sanctioned event.
16. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

The Tournament Director and/or Event Coordinator are responsible for ensuring that the Code of Behaviour is met at all times.

Attachment B3: Player/Athlete Code of Behaviour

As a player of HA, SA, AA or AC you required to comply with this policy. You must meet the following requirements in regard to your conduct and in any role you hold within HA, SA, AA or AC.

1. Behave in a sporting manner at all times to all players, officials and spectators.
2. Don't make detrimental statements in respect of the performance of any match officials or umpires.
3. Play by the rules at all times and ensure that the game of hockey is not brought into disrepute by your actions.
4. Do not engage in inappropriate and/or physical contact with players or officials during the course of play.
5. Accept responsibility for all actions taken. Exercise reasonable care to prevent injury by ensuring that you play within the rules. Reasonable care consists of showing due diligence in abiding by the rules and adhering to the officials decisions.
6. Adhere to the Anti-Doping Policy advocated by HA.
7. Do not bet on the outcome or on any other aspect of a hockey match or competition.
8. Do not try to achieve a contrived outcome to a match or competition, or otherwise improperly influence the outcome or any other aspect of a match or a competition.
9. Do not show unnecessary obvious dissension, displeasure or disapproval (by action or verbal abuse) towards an umpire or match official as a consequence of his or her decision or generally.
10. Abstain from the use of tobacco and the consumption of alcoholic beverages while in the playing/representative uniform.
11. Adhere to HA racial and sexual vilification policy.
12. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
13. Don't do anything which adversely affects or reflects on or discredits the game of hockey, HA, any SA, or any squad, team, competition, tournament, sponsor, official supplier or licensee, including, but not limited to, any illegal act or any act of dishonesty or fraud.
14. Refrain from using obscene, offensive or insulting language and/or making obscene gestures which may insult other players, officials or spectators.

The Tournament Director and/or Event Coordinator are responsible for ensuring that the Code of Behaviour is met at all times.

Attachment B4: Administrator Code of Behaviour

As an administrator of HA, SA, AA or AC you are required to comply with this policy. You must meet the following requirements in regard to your conduct and in any role you hold within HA, SA, AA or AC.

1. Involve young people in planning, leadership, evaluation and decision making related to the activity.
2. Give all people equal opportunities to participate.
3. Create pathways for young people to participate in sport not just as a player but as a coach, referee, administrator etc
4. Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of young players.
5. Provide quality supervision and instruction for junior players
6. Remember that young people participate for their enjoyment and benefit. Do not over emphasise awards.
7. Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and officiating.
8. Ensure that everyone involved in junior sport emphasises fair play, and not winning at all costs.
9. Give a code of behaviour sheet to spectators, officials, parents, coaches, players and the media, and encourage them to follow it.
10. Remember, you set an example. Your behaviour and comments should be positive and supportive.
11. Support implementation of the Junior Hockey Policy.
12. Make it clear that abusing young people in any way is unacceptable and will result in disciplinary action.
13. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Attachment B5: Board Member Code of Behaviour

As a board member of HA, an SA,, an AA or an AC you are required to comply with this policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by HA, SA, AA or AC and in any role you hold within HA, SA, AA or AC:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealing.
3. Be professional in, and accept responsibility for, your actions.
4. Make a commitment to providing quality service.
5. Be aware of, and maintain an uncompromising adherence to, HA's standards, rules, regulations and policies.
6. Operate within the rules of the sport including national and international guidelines which govern HA, SA, AA or AC.
7. Do not use your involvement with HA, a member association or an affiliated club to promote your own beliefs, behaviours or practices where these are inconsistent with those of HA, SA, AA or AC.
8. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
10. Refrain from any form of harassment of others.
11. Refrain from any behaviour that may bring HA, SA, AA or AC into disrepute.
12. Be a positive role model.
13. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.
14. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Attachment B6: Parent/Guardian Code of Behaviour

1. Parents/Guardians shall at all times conform to accepted standards of good sportsmanship and behaviour.
2. Parents/Guardians shall at all times respect officials, coaches and players and extend all courtesies to them.
3. Lead by example and respect all players, coaches, umpires and spectators – physical or verbal abuse will not be tolerated.
4. Respect the umpires' decision. Do not abuse, threaten or intimidate an umpire or match official and do not show dissension, displeasure or disapproval towards an umpire or match official's decision in an abusive or unreasonable fashion.
5. Never publicly criticize umpires – raise personal concerns with club officials in private.
6. Support skilled performances.
7. Show respect for opponents.
8. Display appropriate social behaviour by not using profane, demeaning or derogatory language, or harassing players, coaches, officials or other spectators.
9. Do not throw any object.
10. Barrack in a positive way.
11. Leave the area tidy and free from litter or other mess.
12. Remember that you are there for the participants to enjoy the game.
13. Never ridicule mistakes or losses.
14. Recognise all volunteers who are giving up their valuable time.
15. The umpire may issue a warning to the team captain, of the spectators which are breaking the code of behaviour, to let the spectators know that their team will lose points if they continue to behave in a manner not in line with the code of behaviour.
16. Refrain from any form of personal abuse towards your children and team-mates. This includes verbal, physical and emotional abuse. Be alert to any forms of abuse directed towards you children and team-mates from other sources whilst they are in your care.
17. Refrain from any form of harassment towards your athletes. This includes sexual and racial harassment, racial vilification and harassment on the grounds of disability.
18. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
19. Be a positive role model for your children.

Attachment B7: Spectator Code of Behaviour

As a spectator watching an event that is conducted or sanctioned by HA, you must meet the following requirements with regard to your conduct.

Spectators are an important part of the game and shall at all times conform to accepted standards of good sportsmanship and behaviour.

- 1.** Spectators shall at all times respect officials, coaches and players and extend all courtesies to them.
- 2.** Lead by example and respect all players, coaches, umpires and fellow spectators – physical or verbal abuse will not be tolerated.
- 3.** Respect the umpires' decision. Do not abuse, threaten or intimidate an umpire or match official and do not show dissension, displeasure or disapproval towards an umpire or match official's decision in an abusive or unreasonable fashion.
- 4.** Support skilled performances and show respect for opposition teams and players.
- 5.** Display appropriate social behaviour by not using profane, demeaning or derogatory language, or harassing players, coaches, officials or other spectators.
- 6.** Leave the spectator area tidy and free from litter.
- 7.** Do not ridicule mistakes or losses – supporters are there to support.
- 8.** Acknowledge all volunteers who are giving up their valuable time to enable the conduct of competition.
- 9.** Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

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, the Northern Territory and South Australia.

HA, 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 the Australian Capital Territory and 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.

ATTACHMENTS

- Attachment C1: Screening requirements (for the Australian Capital Territory and Tasmania)
- Attachment C2: Member Protection Declaration
- Attachment C3: Working with Children Check requirements

Attachment C1: SCREENING REQUIREMENTS

(for states/territories without Working With Children Checks - ACT and Tasmania)

This attachment explains the process we will use to screen the people associated with our organisation who work, coach or have regular unsupervised contact with children and young people under the age of 18. We require our state associations and clubs to do the same.

1. We will identify all positions where people work, coach or have regular unsupervised contact with children and young people under the age of 18.
2. Before a person is offered such a position, we will ask him or her to complete a Member Protection Declaration (“MPD”) (see C2).
3. If a person is unable to provide a MPD, or if he or she cannot satisfactorily answer the questions in the MPD, we will ask for an explanation. We will then make an assessment about the person’s suitability to work with children and young people. If we are not fully satisfied, we will not appoint him or her to the position.
4. Where possible, we will check a person’s referees (verbal or written) about his or her suitability for the position.
5. We will ask each person to sign a consent form for a national police check and explain why our policy requires a check to be undertaken.
6. If a person does not agree to a national police check, we will make an assessment about his or her suitability to work with children and young people.
7. If the national police check indicates that a “relevant offence” has been recorded, we will ask the person to provide an explanation. We will then make an assessment about the person’s suitability to work with children and young people. If we are not fully satisfied, we will not appoint him or her to the position.
8. If it is not practical to complete the national police check prior to the person starting in the position, we will complete the check as soon as possible. We will act immediately if the results of the check highlight any issues of concern.
9. We will protect the privacy of each person who undertakes the screening process and keep all information we obtain strictly confidential.
10. We will return all the information collected as part of the screening process (e.g. completed MPD forms, national police checks and referee reports) to the relevant person if he or she is not appointed to the position. Alternatively, all records will be destroyed within 28 days of the date of the decision or the expiry of any appeal period unless, within that time, the person requests the documents to be returned to him or her. The records of all people appointed to our organisation will be kept on file in a secure location.

Attachment C2: MEMBER PROTECTION DECLARATION

Hockey Australia has a duty of care to all those associated with our organisation and our sport. It is a requirement of our National Member Protection Policy that we check the background of each person who works, coaches or has regular unsupervised contact with children and young people under the age of 18..

I (name) of

..... (address) born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children, acts of violence or narcotics.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment, acts of violence or narcotics.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge there is no other matter that HA may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President or CEO of the hockey organisation engaging me immediately upon becoming aware that any of the matters set out above has changed.

Declared in the State/Territory of

on/...../.....(date) Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

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:.....

Signature:.....

Date:

Attachment C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm. They assess the suitability of people to work with children and young people and can involve:

- criminal history checks
- signed declarations
- referee checks, and
- other relevant background checks to assess a person’s suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net.

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

New South Wales

Contact the Commission for Children and Young People

Website: www.kids.nsw.gov.au

Phone: 02 9286 7276

Northern Territory

Contact the Northern Territory Screening Authority

Website: www.workingwithchildren.nt.gov.au

Phone: 1800 SAFE NT (1800 723 368)

Queensland

Contact the Commission for Children and Young People and Child Guardian about the “Blue Card” system.

Website: www.ccypcg.qld.gov.au

Phone: 1800 113 611

South Australia

Contact the Department for Education and Child Development

Website: www.families.sa.gov.au/childsafes

Phone: 08 84 636 468

Victoria

Contact the Department of Justice

Website: www.justice.vic.gov.au/workingwithchildren

Phone: 1300 652 879

Western Australia

Contact the Department for Child Protection

Website: www.checkwwc.wa.gov.au

Phone: 1800 883 979

Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In October 2011 at the Standing Council on Community, Housing and Disability Services, Commonwealth, state and territory ministers agreed to introduce, by late 2012, national exemptions to Working with Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes.

These exemptions will be for up to 30 days in any 12 month period and will enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This means that volunteers and workers with a valid check in their home state or territory will be able to participate in short-term activities across state and territory borders without the need for additional checks.

The Australian Sports Commission will provide more information as soon as it becomes available.

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 informal 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.

ATTACHMENTS

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure
- Attachment D4. Tribunal procedure

Attachment D1: COMPLAINTS PROCEDURE

HA aims to support people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way. **We will keep all complaints confidential.** We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or if it is necessary to properly resolve the complaint.

To ensure **fairness for everyone involved**, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

We will provide **informal and formal procedures** to resolve complaints. Individuals and organisations can also **complain to external organisations** under anti-discrimination, child protection and other relevant laws.

INFORMAL APPROACHES

Step 1: Talk with the other person (if safe, reasonable and appropriate)

If you feel confident to do so, you can approach the other person to discuss the issues and try and resolve the problem directly.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk with one of our Member Protection Information Officers (MPIOs) if:

- the first step is not possible or reasonable
- you are not sure how to handle the problem by yourself
- you want to talk confidentially with someone and find out what options are available to resolve the problem, or
- the problem continues after you approached the other person.

The names and contact details for our MPIOs can be obtained by contacting your state/territory association or HA.

The MPIO will:

- take confidential notes about your complaint
- try to find out the facts of your complaint
- ask how you would like the problem to be resolved and if you need support
- provide different options for you to resolve the problem
- act as a support person, if you wish
- refer you to an appropriate person (e.g. a mediator) to help you resolve the problem, if necessary
- inform the relevant government authorities and/or police, if required by law to do so
- maintain confidentiality.

Step 3: Decide how to resolve the problem

After talking with the MPIO, you may decide:

- there is no problem
- the problem is minor and you do not wish to take the matter forward

- to try and resolve the problem yourself, with or without a support person
- to resolve the problem with the help of someone impartial, such as a mediator
- to resolve the matter through a formal process.

FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- make a formal complaint in writing MPIO; or
- approach a relevant external agency such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, the MPIO will decide whether:

- he/she is the most appropriate person to receive and handle the complaint
- the nature and seriousness of the complaint requires a formal resolution procedure
- to refer the complaint to **mediation**
- to appoint a person to **investigate** the complaint
- to refer the complaint to a **tribunal hearing**
- to refer the matter to the **police or other appropriate authority**
- to implement any interim arrangements that will apply until the complaint process is completed.

In making this decision, the *MPIO* will take into account:

- whether he/she has had any personal involvement in the circumstances and if someone else should handle the complaint
- your wishes, and the wishes of the respondent, regarding how the complaint should be handled
- the relationship between you and the respondent (e.g. an actual or perceived power imbalance between you and the respondent)
- whether the facts of the complaint are in dispute
- the urgency of the complaint, including the possibility that you may face further unacceptable behaviour while the complaint process is underway.

If the MPIO is the appropriate person to handle the complaint he/she will, if these steps are necessary:

- provide the information received from you to the person(s) involved and ask for their side of the story
- decide if there is enough information to determine whether the matter alleged in your complaint did or didn't happen
- determine what, if any, further action to take, including disciplinary action in accordance with this policy.

Step 5: Investigation of the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in D3. Following the investigation, a written

report will be provided to the CEO or Hearing Tribunal who will determine what further action to take.

- If the complaint is referred to **mediation**, we will follow the steps outlined in D2 or as agreed by you, the respondent and the mediator.
- If the complaint is referred to a **tribunal hearing**, the hearing will be conducted according to the steps outlined in D4.
- If the complaint is referred to the **police or another external agency**, we will endeavour to provide all reasonable assistance required by the police or the agency.

Step 6: Reconsideration of a complaint or appeal decision

If mediation is unable to resolve the matter, you may request that the MPIO reconsider the complaint in accordance with **Step 3**. You or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in Attachment D5.

Step 7: Documenting the resolution

The MPIO will record the complaint, the steps taken to resolve it and the final outcome. This information will be stored in a confidential and secure place. If the complaint was dealt with at the state/district level, the information will be stored by the state association. If the matter is of a serious nature, or if it was dealt with at the national level, the original document will be stored by HA and a copy stored by the state association.

EXTERNAL APPROACHES

If you feel that you have been harassed or discriminated against, you can seek advice from your state or territory anti-discrimination or equal opportunity commission. There is no obligation to make a formal complaint. However, if the commission advises you that the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

Once a complaint is received by the commission, it will investigate the matter. If it appears that unlawful harassment or discrimination has occurred, the commission will attempt to conciliate the complaint on a confidential basis. If this fails, or if it is not appropriate, the complaint may go to a formal hearing. The tribunal will make a finding and decide what action, if any, will be taken. This could include an apology or financial compensation for distress, lost earnings or medical and counselling expenses incurred.

If you do lodge a complaint with the commission, an appropriate person from our organisation (e.g. an MPIO) will be available to support you during the process. It is also common to have a legal representation, particularly if the complaint goes to a formal hearing.

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website:

<http://www.playbytherules.net.au/resources/quick-reference-guide>.

Serious incidents, such as assault or sexual assault, should be reported to the police.

Attachment D2: MEDIATION

Mediation is a process that allows the people involved in a complaint to talk through the issues with an impartial person – the mediator – and work out a mutually agreeable solution.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to talk through the issues and makes sure that the process is as fair as possible for all concerned.

Our approach to mediation follows the steps set out below.

1. The MPIO will appoint a mediator to help resolve the complaint. This will be done under the direction of HA and in consultation with the complainant and the respondent(s).
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
 - write to the CEO or Hearings Convenor to request that the CEO or Hearings Convenor reconsider the complaint in accordance with **Step 3**
 - approach an external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

We recognise that there are some **situations where mediation will not be appropriate**, including:

- when the people involved have completely different versions of the incident
- when one or both parties are unwilling to attempt mediation
- when the issues raised are sensitive in nature
- when there is a real or perceived power imbalance between the people involved
- matters that involve serious, proven allegations.

Attachment D3: INVESTIGATION PROCESS

There will be times when a complaint will need to be investigated and evidence gathered. An investigation helps determine the facts relating to the incident, as well as possible findings and recommendations. Any investigation that we conduct will be fair to all people involved. If we decide that a complaint should be investigated, we will follow the steps outlined below.

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities. The investigator will:
 - 1.1 Interview the complainant and record the interview in writing.
 - 1.2 Provide full details of the complaint to the respondent (s) so that they can respond.
 - 1.3 Interview the respondent(s) to allow them to answer the complaint and record the interview in writing.
 - 1.4 Obtain statements from witnesses and collect other relevant evidence if there is a dispute over the facts.
 - 1.5 Make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
 - 1.6 Provide a report to MPIO/Hearings Tribunal documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
4. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in Attachment D5.

Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000. Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au.

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

All people working with HA in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is any doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the CEO or MPIO of HA so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

- The MPIO and CEO will assess the immediate risks to the child and take interim steps to ensure the child’s safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with HA.
- The MPIO and CEO will consider what services may be most appropriate to support the child and his or her parent/s.
- The MPIO and CEO will consider what support services may be appropriate for the alleged offender.
- The MPIO and CEO will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by HA).
- Regardless of the findings of the police and/or child protection agency investigations, HA will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- The MPIO, CEO and/or Hearing Tribunal of HA will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in Clause 9 of our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required. Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services www.dhcs.act.gov.au/ocyps/services/care_and_protection Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Community Services www.community.nsw.gov.au Ph: 132 111

Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafes Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	
Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au	Department for Child Protection www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258

Attachment D5: HEARINGS & APPEALS TRIBUNAL PROCEDURE

The following will be followed by tribunals established by HA to hear national member protection related complaints.

Preparation for Tribunal Hearing

1. A Tribunal Panel will be established according to the rules set out in our Constitution, to hear a complaint that has been referred to it by a MPIO, CEO or State Association. The number of Tribunal panel members required to be present throughout the hearing will be three (3).
2. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the MPIO/CEO/State Association relating to the complaint/allegations.
3. The Tribunal hearing will be held as soon as practicable, but must allow adequate time for the respondent(s) to prepare for the hearing.
4. The Tribunal Panel will not include any person who has any actual or perceived conflict of interest, or bias regarding the matter.
5. The Chief Executive or President will inform the respondent(s) in writing that a tribunal hearing will take place. The notice will outline:
 - That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
 - Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached;
 - The date, time and venue of the tribunal hearing;
 - That they can make either verbal or written submissions to the Tribunal;
 - That they may arrange for witnesses to attend the Tribunal in support of their position (statutory declarations of witnesses not available or from character witnesses may also be provided to the Tribunal);
 - An outline of any possible penalties that may be imposed if the complaint is found to be true; and
 - That legal representation will not be allowed. If the respondent is a minor, they should have a parent or guardian present.

A copy of any information / documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the respondent.

The respondent(s) will be allowed to participate in all HA, State Association, Affiliated Association and/or Affiliated Club activities and events, pending the decision of the Tribunal, including any available appeal process, unless the Chief Executive or President believes it is necessary to exclude the respondent(s) from all or some HA, State Association, Affiliated Association and/or Affiliated Club activities and events, after considering the nature of the complaint.

6. The Chief Executive or President will notify the complainant in writing that a tribunal hearing will take place. The notice will outline:
 - That the person has a right to appear at the tribunal hearing to support their complaint;

- Details of the complaint, including any relevant rules or regulations the respondent is accused of breaching
- The date, time and venue of the tribunal hearing;
- That they can make either verbal or written submissions to the Tribunal;
- That they may arrange for witnesses to attend the Tribunal in support of their position (or provide statutory declarations from witnesses unable to attend); and
- That legal representation will not be allowed. If complainant is a minor, they should have a parent or guardian present.

A copy of any information / documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the complainant.

7. If the complainant believes the details of the complaint are incorrect or insufficient he or she should inform the Chief Executive or President as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.
8. If possible, the Tribunal should include at least one person with knowledge or experience of the relevant laws/rules (e.g. Anti-Discrimination).

Tribunal Hearing Procedure

9. The following people will be allowed to attend the Tribunal Hearing:
 - The Tribunal members;
 - The respondent(s);
 - The complainant;
 - Any witnesses called by the respondent;
 - Any witnesses called by the complainant;
 - Any parent / guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been met.
11. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) has been presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
12. The Tribunal Chairperson will inform the Chief Executive or President of the need to reschedule, and the Chief Executive or President will organise for the Tribunal to be reconvened.
13. The Tribunal Chairperson will read out the complaint, ask the respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
14. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures or penalties.
15. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.

- The complainant may call witnesses.
 - The respondent(s) may question the complainant and witnesses.
16. The respondent(s) will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The respondent may call witnesses.
 - The complainant may ask questions of the respondent and witnesses.
 17. The complainant and respondent may be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the hearing until required.
 18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented to those who provide any new evidence.
 - Require (to the extent it has power to do so) the attendance of any witness it deems relevant;
 - Act in an inquisitorial manner in order to establish the truth of the issue/case before it.
 19. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
 20. If the Tribunal considers that at any time during the Tribunal Hearing there is any unreasonable or intimidatory behaviour from anyone, the Chairperson may deny further involvement of the person in the hearing.
 21. After all of the evidence has been presented the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has been substantiated on the balance of probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The respondent will be given an opportunity to address the Tribunal on disciplinary measures which might be imposed. Disciplinary measures imposed must be reasonable in the circumstances.
 22. All Tribunal decisions will be by majority vote.
 23. The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form at a later time.
 24. Within 48 hours, the Tribunal Chairperson will:
 - Forward to the Chief Executive of the organisation which convened the Hearings Tribunal a notice of the Tribunal decision including any disciplinary measures imposed.
 - Forward a letter to the respondent(s) reconfirming the Tribunal decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal. Where the matter is of unusual complexity or importance, the Tribunal Chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
 25. The Tribunal does not need to provide written reasons for its decision.

Appeals Procedure

26. If a complainant or a respondent(s) is not satisfied with the outcome of mediation or a Tribunal decision, he or she can lodge one appeal on one or more of the following bases:
- That a denial of natural justice has occurred
 - That the disciplinary measure(s) imposed is unjust and/or unreasonable
 - That the decision was not supported by the information/evidence provided to the MPIO/Mediator/Tribunal.
27. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the Chief Executive of the organisation of the relevant Appeal Body within 3 business days of the relevant decision. A non-refundable appeal fee of \$110.00 (incl GST) shall be included with the letter of intention to appeal, with the exception of an appeal to CAS which shall be as per the Code of Sports-Related Arbitration applicable to CAS or, submit to the Chairperson of the Appeal Body or CAS (as the case may be), the grounds of the appeal in writing and provide copies to the other party, to the Chief Executive of the organisation which established the Hearings Tribunal who made the decision which is the subject of the appeal and the Chief Executive of the organisation which established the Appeal Body.
28. If the letter of appeal is not received by the Chief Executive within the time period the right of appeal lapses. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal shall be deemed withdrawn.
29. The letter of appeal and notice of tribunal decision will be forwarded to the Chief Executive to review and decide whether there are sufficient grounds for the appeal to proceed. The Chief Executive may invite any witnesses to the meeting it believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified with reasons.
31. If the appeal is accepted, an Appeal Tribunal with a new panel will be convened to rehear the complaint. The Tribunal Procedure shall be followed for the appeal. The decision of an Appeal Tribunal will be final.

PART E: REPORTING REQUIREMENTS AND 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.

ATTACHMENTS

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

Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimization <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
Methods (if any) of attempted informal resolution		

Formal resolution procedures followed (outline)	
If investigated: Finding -	
If went to hearing tribunal: Decision - Action recommended -	
If mediated: Date of mediation - Were both parties present - Terms of Agreement - Any other action taken -	
If went to appeals tribunal: Decision Action recommended	
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).

Attachment E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in attachment C4 have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in sport		
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official 	
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	

Government agency contacted	Who: When: Advice provided:
CEO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.