



Hockey
AUSTRALIA



Member Protection Policy

www.hockey.org.au

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PREFACE

Hockey Australia Inc is committed to the health, safety and general well being of all its members and participants. The organisation is dedicated to providing a safe and prosperous environment for members and providers participating in any 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 which 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 I wish you all safe and successful hockey.

Pam Tye OAM

President
Hockey Australia Inc.

VERSION 4
Revised 19 July 2006

PART A: Member Protection Policy

1. Hockey Australia's Core Values

OUR VISION

"Australian hockey – Fostering Excellence for All"

Hockey Australia and the State Hockey Associations together aim to maintain Australia's pre-eminent position in elite hockey, a world leader in our approach to the game and the results we achieve. We also aim to make hockey the 'game for everyone' – a sport that is accessible and enjoyable for male and female Australians of all ages and backgrounds.

OUR MISSION

Achieving this vision will require the collective efforts of the Australian hockey community. This community includes the leading administrative bodies – Hockey Australia and the eight State Hockey Associations – and the many thousands of volunteers within regional associations, hockey clubs and schools throughout the country. It encompasses hockey players and coaches, from our national teams through to beginners and club players. All members of the community have a part to play.

For its part, Hockey Australia's mission will be:

"To encourage, promote, develop and administer hockey at all levels in order to maintain Australian hockey as a world leader and a game for everyone. This will be done through managing Australia's international high performance program and maximising participation, enjoyment and community profile."

The vision for hockey and its strategic direction has been developed by the Board and Management of Hockey Australia, with extensive input from each of the State Hockey Associations.

2. Purpose of this policy

This Member Protection Policy (policy) aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities. This policy also reflects our support and implementation of the sport industry principles and values outlined in The Essence of Australian Sport – principles of fairness, respect, responsibility and safety.

The policy attachments provide the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, Hockey Australia (HA), State/ Territory Associations (SA), Affiliated Associations (AA) and Clubs (AC) will take disciplinary action against any person or organisation bound by this policy if they breach it.

This Policy is issued by Hockey Australia Inc under Rule 26 of the HA Constitution and has been endorsed by the HA Board of Directors.

Except to the extent outlined in **clause 8** and **Part C**, this Policy comes into force on the approval of the Board of Directors of HA. The reference to Complaints in **clause 8** and **Part C** shall only include Complaints which arise out of incident(s) occurring on or after 29 May 2004.

This Policy may be changed from time to time by resolution of the Board of Directors of HA. Copies of the policy and its attachments can be obtained from our website www.hockey.org.au or from the Hockey Australia office:

Level 1
433-435 South Road
Bentleigh VIC 3204

3. Who this Policy Applies to

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

- Individuals sitting on boards, committees and sub-committees.
- Employees and volunteers.
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers).
- Coaches and assistant coaches.
- Athletes and players.
- Referees, umpires and other officials.
- Members, including life members.
- Member associations.
- Affiliated clubs and associated organisations.
- Peak associations and the national body.
- Any other person or organisation that is a member of or affiliated to the HA, SA, AA and/ or AC.
- Parents, guardians, spectators and sponsors to the full extent that is possible.

This policy will continue to apply to a person even after they have stopped their association or employment with HA, SA, AA and/ or AC if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

4. Codes of Conduct

HA, SA, AA and/ or AC require every individual and organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with other people and HA, SA, AA and/ or AC.
- 4.2 Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations.
- 4.3 Always place the safety and welfare of children above other considerations.
- 4.4 Comply with HA, SA, AA and/ or AC constitution, rules and policies including this member protection policy.
- 4.5 Operate within the rules and spirit of the sport.
- 4.6 Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws.
- 4.7 Be responsible and accountable for their conduct.
- 4.8 Abide by the relevant Role-Specific Codes of Conduct outlined in Part D of this policy.

5. Organisational Responsibilities

HA, SA, AA and/ or AC must:

- 5.1 Adopt, implement and comply with this policy.
- 5.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it.
- 5.3 Promote appropriate standards of conduct at all times.
- 5.4 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner.
- 5.5 Apply this policy consistently without fear or favour.
- 5.6 Recognise and enforce any penalty imposed under this policy.
- 5.7 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies.
- 5.8 Appoint or have access to appropriately trained people to receive and handle complaints and allegations Member Protection Information Officers (MPIOs) and display the names and contact details in a way that is readily accessible.
- 5.9 Monitor and review this policy at least annually.

6. Individual Responsibilities

Individuals bound by this policy are responsible for:

- 6.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy.
- 6.2 Consenting to a national police check if the individual holds or applies for a role that:
 - Involves direct and unsupervised contact with people under the age of 18 years.
 - Involves regular contact with people under the age of 18 years.
- 6.3 Complying with all other requirements of this policy.
- 6.4 Co-operating in providing a “discrimination, child abuse and harassment free sporting environment”.
- 6.5 Understanding the possible consequences of breaching this policy.

7. Policy Position Statements

7.1 Child Protection Policy

Every person and organisation bound by this policy must always place the safety and welfare of children above all other considerations.

HA, SA, AA and/ or AC acknowledge that our staff, members and volunteers provide a valuable contribution to the positive experiences of our juniors. HA, SA, AA and/ or AC aim to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- Prohibiting any form of abuse against children.
- Providing opportunities for our juniors to contribute to and provide feedback on our program development.
- Carefully selecting and screening people whose role requires them to have regular contact with/ direct and unsupervised contact with children. (Screening procedures are outlined in Part B of this policy).
- Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed.
- Providing procedures for raising concerns or complaints (our complaints procedure is outlined in Part C of this policy).
- Providing education and/or information to those involved in our sport on child abuse and child protection.

HA, SA, AA and/ or AC requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and MPIO and/ or CEO of the relevant association. Descriptions of the sorts of activity which may be abuse are in the Dictionary at **clause 11**.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in **attachment C4** of this policy.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

7.2 Anti-Discrimination and Harassment Policy

HA, SA, AA and/ or AC aim to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

HA, SA, AA and/ or AC recognise that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, irrelevant medical or criminal record, marital status, political belief, pregnancy or breastfeeding, race, religion, sex, social origin and/or trade union membership/activity.

HA, SA, AA and/ or AC prohibit all forms of harassment and discrimination based on personal characteristics listed in the Dictionary. Discrimination and harassment are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law. Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at **clause 11**.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in **attachment C** of this policy. This will explain what to do about the behaviour and how the HA, SA, AA and/ or AC will deal with the problem.

7.3 Sexual Relationships Policy

HA takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. HA also takes the view that such relationships while not necessarily constituting unlawful harassment, can have harmful effects on the individual athlete involved, on other athletes and coaches, and on the sport's public image. Such relationships tend to be intentionally or unintentionally exploitative because there is usually a disparity between coaches and athletes in terms of authority, power, maturity, status and dependence. HA's policy position is similar to other organisations who disallow professionals such as teachers, doctors and counsellors to have sexual relationships with their clients or students.

Should a sexual relationship develop between an athlete and coach, HA will consider whether any action is necessary. Factors that may be relevant in this consideration are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

If an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach may wish to approach the HA, SA, AA and/ or AC MPIO if they feel harassed.

The law is always the minimum standard for behaviour within HA, SA, AA and/ or AC and therefore sex with a child is a criminal offence.

7.4 Pregnancy Policy

HA is committed to providing an inclusive sporting environment for pregnant women involved in its activities. HA expects everyone bound by this policy to treat pregnant women with dignity and respect and to remove any unreasonable barriers to participation in our sport that disadvantage them. HA will not tolerate any unlawful discrimination or harassment against pregnant women or women who may become pregnant.

Descriptions of some of the types of behaviour which could be regarded as pregnancy discrimination or harassment are provided in the Dictionary at **clause 11**.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in **attachment C1** of this policy. This will explain what to do about the behaviour and how the HA, SA, AA and/ or AC will deal with the problem.

While many sporting activities are safe for pregnant women to participate in, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances. HA, SA, AA and/ or AC 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 wellbeing, and that of their unborn children, are of utmost importance in their decision making about the extent and manner in which they participate in our sport.

We encourage all pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation in particular sporting activities.

We will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

7.5 Gender Identity Policy

HA is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate. HA expects everyone who is bound by this policy to treat people who identify as transgender or transsexual fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. HA will not tolerate any unlawful discrimination or harassment against a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual.

Descriptions of some of the types of behaviour which could be regarded as transgender or transsexual discrimination or harassment are provided in the Dictionary at **clause 11**.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in **attachment C1** of this policy. This will explain what to do about the behaviour and how HA, SA, AA and/ or AC will deal with the problem.

HA recognises that the exclusion of transgender or transsexual people from participation in sporting events has significant implications for their health, well-being and involvement in community life. In general HA will facilitate transgender or transsexual persons participating in our sport of the sex with which they identify.

HA also recognises 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, HA, SA, AA and/ or AC 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 or transsexual person intends competing at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by HA.

HA notes that drug testing procedures and prohibitions also apply to people who identify as transgender or transsexual. 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.

7.6 Other relevant policies

Other HA, SA, AA and/ or AC relevant policies can be found at www.hockey.org.au. Some of the policies which contribute to the welfare of all those involved in our activities include:

- Privacy Policy.
- Risk Management Policy.
- Anti-doping Policy.
- Blood Rules Policy.

8. Complaints Procedures

8.1 Complaints

HA, SA, AA and/ or AC aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to an MPIO or CEO/ President of HA, SA, AA and/ or AC. (If your organisation has an MPIO, the complaint should be reported to them first.)

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless MPIO or CEO considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in **attachment C1** of this policy.

8.2 Vexatious Complaints & Victimisation

HA, SA, AA and/ or AC aim to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the MPIO or CEO/ President considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the Hearings Tribunal for appropriate action which may include disciplinary action against the complainant.

HA, SA, AA and/ or AC will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

8.3 Mediation

HA, SA, AA and/ or AC aim to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. Lawyers are able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the MPIO or CEO/ President will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in **attachment C2** of this policy.

8.4 Tribunals

A Hearings Tribunal may be formed to hear a formal complaint that has been referred by MPIO or CEO or an alleged breach of the policy. Our Hearings Tribunal procedure is outlined in **attachment C5** of this policy.

A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. Our appeals process is outlined in **attachment C5** of this policy.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy.

Members of hearing and appeal tribunals will be indemnified by the organisation that appointed them against any claim for loss, compensation or damages, and for costs incurred defending a claim made against them, because of their function as a member of a hearings or appeals tribunal.

9. What is a Breach of this policy?

It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have:

- 9.1 Done anything contrary to this policy.
- 9.2 Breached the Code of Conduct and Role-Specific Codes of Conduct.
- 9.3 Brought the sport, HA, SA, AA and/ or AC into disrepute.
- 9.4 Failed to follow HA, SA, AA and/ or AC policies and procedures for the protection, safety and welfare of children.
- 9.5 Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy.
- 9.6 Discriminated against or harassed any person.
- 9.7 Victimised another person for reporting a complaint.
- 9.8 Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over.
- 9.9 Disclosed to any unauthorised person or organisation any HA, SA, AA and/ or AC information that is of a private, confidential or privileged nature.
- 9.10 Made a complaint they knew to be untrue, vexatious, malicious or improper.
- 9.11 Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy.
- 9.12 Failed to comply with a direction given to the individual or organisation during the discipline process.

10. Forms of Discipline

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or employment terminated. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline is at **attachment C6** of this policy.

11. 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. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions 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 association (AA) means any State/ Territory association affiliated with Hockey Australia, and/ or any regional association affiliated with a State/ Territory association.

Affiliated club (AC) means any club that is affiliated with a State/ Territory and/ or a regional Affiliated association.

Child means a person who is under the age of 18 years (see also definition of young person).

Child abuse relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse 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 8** of this policy.

Complainant means the person making a complaint.

Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life (this is Direct Discrimination). The law also covers Indirect Discrimination. This is imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics. The characteristics covered by discrimination law across Australia are:

- 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

Age: A club refuses to allow an older person to coach a team simply because of their age.

Breastfeeding: A member of the club who is breastfeeding her baby in the club rooms is asked to leave.

Disability: A junior player is overlooked because of her mild epilepsy.

Family responsibilities: A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.

Gender Identity: A transgender contract worker is harassed when employees refuse to call her by her female name.

Homosexuality: An athlete is ostracised from her team after she tells a team mate that she is a lesbian.
Marital Status: A player is deliberately excluded from team activities and social functions because she is single.

Pregnancy: A woman is dropped from her squad when she becomes pregnant.

Race: An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.

Sex: Specialist coaching is only offered to male players in a mixed team.

Harassment is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or other characteristic (see characteristic list under discrimination).

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Under this policy discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Some exceptions to state and federal anti-discrimination law apply. Examples include:

- Holding a competitive sporting activity for females only who are 12 years of age or over 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 sporting activity.
- Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

It is also against discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour to another club official or for supporting another player who has made such a complaint.

Public acts of racial hatred which are reasonably likely in the circumstances 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 on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

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

Junior means a person under the age of eighteen (18) years who is participating in an activity of the HA, SA, AA and/ or AC.

Mediator means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

Member means any person who is a member of HA, SA, AA and/ or AC.

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as players, coaches and officials, and the member organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

- Protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour.
- Adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors.
- Providing education.

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 confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The MPIO may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

Natural justice incorporates the following principles:

- A person who is the subject of a complaint must be fully informed of the allegations against them.
- A person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence.
- All parties need to be heard and all relevant submissions considered.
- Irrelevant matters should not be taken into account.
- No person may judge their own case.
- The decision maker/s must be unbiased, fair and just.
- The penalties imposed must not outweigh the 'crime'.

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

Policy and this policy mean this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of conduct means standards of conduct required of certain roles (e.g. coaches).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes 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 Hockey Australia.

Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make 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 organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

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

PART B: Hockey Australia's Child Protection Requirements

Background

Child Protection is about keeping children safe from abuse and protecting them from people who are unsuitable to work with children. Child abuse is illegal in all states and territories of Australia, with each having their own child protection laws that cover the reporting and investigation of cases of child abuse.

In New South Wales, Queensland, Western Australia, Victoria and South Australia child protection legislation places specific requirements upon individuals and organisations involved in a range of areas including sport and recreation. The Northern Territory, Australian Capital Territory and Tasmania governments are currently reviewing their child protection legislation. We will add new requirements or any amendments to existing requirements to our Member Protection Policy as they are introduced.

Please be aware that state and territory child protection requirements may apply to individuals and organisations originating outside of the states with the legislation in place. For example, if one of our state associations or affiliated clubs takes junior players into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with the NSW legislative requirements.

Please note that the state specific child protection requirements apply despite the existence or absence of this policy.

As part of HA's commitment to protecting the safety and welfare of children and young people involved in HA, SA, AA and/ or AC activities, HA requires the following measures to be met.

- Provide opportunities for juniors to contribute to and provide feedback on program development.
- Provide education and/or information on child abuse and child protection to those involved in our sport such as coaches, juniors, parents and officials.
- Where applicable meet the requirements outlined in:

B1. Child Protection Requirements (generic)

B2. Member Protection Declaration

B3. QLD Blue Card Requirements

B4. NSW Child Protection Requirements

B5. WA Child Protection Requirements

B6. VIC Child Protection Requirements

B7. SA Child Protection Requirements

Attachment B1: Child Protection Requirements

This attachment sets out the screening process for people who currently occupy or who apply for any work (paid or voluntary) in our association/ club that:

- Who will or are likely to travel away with teams of players under 18 years of age.
- Is likely to have individual and unsupervised contact with players under 18 years of age.
- Regular contact with people under the age of 18 years.

Screening is highly recommended, but not mandatory, for HA, SA and AA for Preferred Applicants and Existing Appointees in the following types of roles:

- Volunteer coaches appointed or seeking appointment by HA, SA and AA who will or are likely to travel away with teams of players over 18 years of age.
- Persons appointed or seeking appointment by HA, SA and AA to a role in which that person is likely to have contact with players under 18 years of age but where such contact is supervised at all times by another adult. Unless specified in **attachments B3, B4, B5, B6 or B7**.

All persons to whom this policy applies must satisfy all child protection requirements particular to the state where contact with participants under 18 years of age occurs as stipulated in:

- Attachment B3: Queensland Blue Card Requirements.
- Attachment B4: New South Wales Requirements to Check People Working with Children.
- Attachment B5: Western Australia Child Protection Requirements.
- Attachment B6: Victoria Child Protection Requirements.
- Attachment B7: South Australian Child Protection Requirements.

Screening under this policy is not a replacement for any other procedure required by law. If State or Territory legislation sets an equivalent or higher standard of screening, the requirement to screen people under the process outlined below need not be followed.

Association/club requirements

Under this policy, AA and AC are required to:

1. Identify positions (paid and voluntary) that involve working with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration* (MPD) (Attachment B2) from all people who are bound by this policy if they occupy or apply for a position that involves working with people under the age of 18 years. The MPD will be kept in a secure place.

If a MPD is not provided, or it reveals that a person does not satisfactorily meet with one or more of the clauses in the MPD (e.g. has a relevant criminal conviction), AA or AC will: provide an opportunity for the person to respond/provide an explanation, and make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then AA or AC will:

- In the case of an existing employee/volunteer, transfer the person to another role which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment. **Note: legal advice should be obtained before the termination process begins.**
 - In the case of someone applying for the position/ role, not appoint them.
3. Check a person's referees (verbal or written) and interview a person about his/her suitability for the role and his/her suitability for working with children for both paid and voluntary positions.
 4. Ask people applying for and people who currently occupy a position that who will or are likely to travel away with teams of players under 18 years of age, who will or are likely to travel away with teams of players under 18 years of age or is likely to have individual and unsupervised contact with players under 18 years of age to sign a consent form for a national police check. (Information on police checks and forms can be found at www.ausport.gov.au/ethics/policechecks.asp).
1. Request a national police check from the relevant police jurisdiction for people applying for and people who currently occupy paid or paid and voluntary positions that:

-
- Who will or are likely to travel away with teams of players under 18 years of age.
 - Is likely to have individual and unsupervised contact with players under 18 years of age.
 - Regular contact with people under the age of 18 years.

In most police jurisdictions a 'Part Exclusion' check for people working with children can be requested. This check excludes irrelevant records.

If the police check indicates a relevant offence, the association/ club will:

- Provide an opportunity for the person to respond/provide an explanation.
- Make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then the association/ club will:

- In the case of an existing employee/volunteer, transfer the person to another role which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment. **Note: legal advice should be obtained before the termination process begins.**
- In the case of someone applying for the position/role, not appoint them.

If the person does not agree to a national police check after explaining why it is a requirement, the AA or AC shall make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied, the AA or AC will:

- In the case of an existing employee/volunteer, transfer the person to another role which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment. **Note: legal advice should be obtained before the termination process begins.**
- In the case of someone applying for the position/role, not appoint them. Decide whether to offer the person the position or retain the person in the position, taking into account the result of the police check and any other information HA, SA, AA and/ or AC has available. Where it is not practical to complete the police check prior to employment commencing, HA, SA, AA and/ or AC must still complete the check as soon as possible. HA, SA, AA and/ or AC will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.

7. Where a national police check is obtained under this policy, another organisation which is also required to screen may obtain a copy of the national police check provided that the consent of the relevant person is obtained and the national police check was performed in the immediately preceding two years.
8. Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process. Information collected during screening (such as a completed MPD form, police records, and referee reports) will be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned.

Attachment B2: Member Protection Declaration

HA, SA, AA and/ or AC has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with HA, SA, AA and/ or AC activities. As part of this duty of care and as a requirement of this policy, HA, SA, AA and/ or AC must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that:

- Involves direct and unsupervised contact with people under the age of 18 years.
- Involves working with people under the age of 18 years.
- Involves regular contact with people under the age of 18 years.

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, narcotics and certain driving offences.
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, acts of violence, intimidation or other forms of harassment, narcotics and certain driving offences.
4. I have never been sanctioned for an anti-doping rule violation under any anti-doping policy applicable to me.
5. I have never participated in, facilitated or encouraged any practice prohibited by the World Anti-Doping Agency Code or any other anti-doping policy applicable to me.
6. To my knowledge there is no other matter that HA, SA, AA and/ or AC 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 organisation(s) engaging me immediately upon becoming aware that any of the matters set out in **clauses 1 to 6** above has changed for whatever reason.

Declared in the State/Territory of

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

Parent/Guardian Consent (in respect of 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 B3: Queensland Blue Card Requirements

This information is subject to change at any time. Refer to the Queensland Commission for Children and Young People and Child Guardian's (Commission) website: www.bluecard.qld.gov.au or contact 1800 113611 if you have any queries about your obligations under their legislation. This information was updated on 1 April 2006 and is provided as a guide only.

In Queensland the Commission for Children and Young People and Child Guardian Act 2000 requires people who work with children under 18 years of age in certain categories of employment regulated by the Act, and people carrying on certain categories of business regulated by the Act to hold a blue card, unless specifically exempt.

When a person applies for a blue card the Commission conducts a Working with Children Check which is an assessment of a person's eligibility to work with children based on their criminal history, certain disciplinary information (if any) and investigative information (if any) held by the police commissioner. If a person is eligible for a blue card, the Commission issues a positive notice letter and a blue card which remains current for a period of 2 years.

Association/club requirements

QLD State Association and affiliated clubs are responsible for applying for a blue card on behalf of their paid employees and volunteers where the nature of their work falls under one of the categories regulated by the Act.

Interstate sporting organisations, associations and clubs visiting Queensland for sporting training camps, competition or other activities taking place in Queensland may also need to apply for a blue card if the nature of their activities falls under one of the categories in the Act.

People carrying on a regulated business are responsible for applying for a blue card if the activities of the business are regulated under one of the categories in the Act.

Relevant categories of employment regulated by the Act

Note: Only those categories of employment relevant to the sport and recreation industry have been listed below.

Paid employees who commenced work in one of the following categories of employment after 1 May 2001 will need to apply for a blue card unless exempt under the relevant category:

- Private teaching, coaching or tutoring.
- Sport and active recreation.
- Clubs and associations involving children.
- Child accommodation services (which incorporates billets).

Paid employees commencing employment in the following category need a blue card irrespective of when they commenced their employment – i.e. before or after 1 May 2001:

- Schools - employees other than teachers and parents.

Paid employees

Paid employees falling under one of the above listed categories of employment regulated by the Act need a blue card, unless exempt, if they work or are likely to work over a period of 12 months for at least:

- Eight consecutive days.
- Once a week, each week, over four weeks.
- Once a fortnight, each fortnight, over eight weeks.
- Once a month, each month over six months.

Once a blue card application has been lodged, a paid employee can commence or continue to work in regulated employment while waiting for the outcome of their blue card application.

Volunteers

Volunteers working with children who fall under one of the above listed categories of employment regulated by the Act need a blue card, unless exempt, before they can commence the child related activity, regardless of how often they come into contact with children and young people.

Exemptions

The following people are exempt from the Working with Children Check and do not need a blue card:

- Children under 18 who are volunteers (except trainee students required to work in regulated employment as part of their studies with an education provider such as a registered training organisation, or university).
- A volunteer guest of a school or a registered charity, corporation or incorporated association:
 1. For the purpose of observing, supplying information or entertainment to 10 or more people.
 2. The activity is for 10 days or less on no more than two occasions per year.
 3. The person is unlikely to be physically present with a child without another adult being present.
- An event volunteer performing the function of employment at a national or state event organised by a school or a registered charity, corporation or incorporated association (operating at a state or national level) for:
 1. A sporting, cultural or skill based activity.
 2. The event is attended by more than 100 people.
 3. The work is for 10 days or less on no more than two occasions per year.
 4. The person is unlikely to be physically present with a child without another adult being present.

In addition, the following specific exemptions apply under each category regulated by the Act. It is critical to note that the exemptions below apply to the specific categories of regulated employment and business as stated, and therefore are not transferable. For example, a 'registered teacher' is only exempt in the first two categories of regulated employment mentioned below, as that specific exemption does not apply to the remaining three identified categories of employment.

1. Schools - employees other than teachers and parents

- A 'registered teacher'.
- A volunteer parent of a child attending the school.

2. Private teaching, coaching or tutoring

- A 'registered teacher'.
- A person carrying out work in their capacity as an employee of an 'education provider'.

3. Sport and active recreation

- The employment takes place at an 'amusement park'.
- The person provides the service or conducts the activity in their capacity as an employee of a 'government entity'.
- A volunteer parent of a child to whom the services are provided.
- A volunteer parent of a child in relation to whom the activities are conducted.
- The services are provided, or the activities are conducted by or within a club or association or similar entity and are regulated under that category (See Item 4: Clubs and associations involving children)).

4. Clubs and associations involving children

- The person carries out the work in their capacity as an employee of a 'government entity'.
- A volunteer parent of a child who receives the same or similar services to which the employment relates.
- A volunteer parent of a child who participates in the same or similar activities to which the employment.

5. Child accommodation services (including billets)

- The 'child accommodation service' is being provided to a relative of the home stay provider.
- The work is carried out for a 'government service provider' that carries on a business which includes arranging a 'child accommodation service'.
- The employment is organised by a school or a registered charity, corporation or incorporated association and is for 10 days or less and provided on no more than two occasions per year.

Note: Only those categories of business relevant to sport and recreation industry have been listed below.

A person or a corporation carrying on the following regulated businesses in Queensland must also apply for a blue card:

- Private teaching, coaching or tutoring.
- Child accommodation services including homestays (including billets).
- Sport and active recreation (which may include recreational activities such as sporting camps and programs (excluding amusement parks).

Exemptions

1. Private teaching, coaching or tutoring

- If the business is conducted by an education provider.

2. Child accommodation services including homestays (including billets)

- If the business is conducted at a:
 - Boarding facility.
 - Residential facility funded by the Commonwealth government, or the Department of Child Safety, Disabilities Services Queensland, Department of Communities, Qld Health; or licensed by the Child Protection Act.
 - Or another place mainly providing accommodation for children which is funded by the Commonwealth government or Education Queensland.

3. Sport and active recreation

- If the business takes place at an amusement park.
- The activities are conducted by or within a club, association or similar entity and are regulated under that category (See Item 4).

Where the business is a corporation, **each person** whose principal place of residence is in Australia, who takes part in the management of the corporation needs a blue card.

A person carrying on a regulated business must hold a blue card before they commence the regulated activity regardless of how often they come into contact with children and young people.

Application forms

Blue card application forms for a paid employee, volunteer, or person carrying on a regulated business can be downloaded from www.ccypcg.qld.gov.au. Volunteer applications are processed free of charge; there is a \$40 processing fee for paid employees and business applications. Depending on the organization, the individual may have to pay the processing fee.

Change in criminal history

If HA, SA, AA and/ or AC knows or reasonably suspects that an employee who commenced employment prior to 1 May 2001 and therefore does not require a blue card, has a criminal history relevant to their work with children or young people, HA, SA, AA and/ or AC can apply for a blue card for that person. In such a case, the relevant application form to submit is a 'current employee blue card application form'.

This requirement also applies to interstate associations/ clubs that visit Queensland and apply to the Commission for a Working with Children Check.

Risk management

Amendments to the Act, effective January 2005, require organisations engaging paid employees or volunteers that need a blue card, and persons or organisations carrying on a business for which a blue card is required to develop and implement annually, a risk management strategy to promote the well-being of children in their care and protect them from harm.

The key elements an organisation needs to consider in creating a risk management strategy includes:

- a child protection policy, which outlines:
- a Code of Conduct
- recruitment, training and management procedures for staff
- reporting guidelines and directions for handling disclosures or suspicions of harm, and
- consequences to staff for non-compliance with the policy
- communication and support strategies, such as:
- information sheets for staff, volunteers and parents about policies, procedures and Codes of Conduct, and
- training materials and communication strategies which help staff, volunteers and parents identify risks of harm
- documentation of risk management processes including:
- registers of staff
- strategies and plans for high-risk and special events
- complaints registers, and
- forms to ensure consistent handling of incidents, disclosures of harm, permissions and approvals for related activities.

Attachment B4: New South Wales Requirements to Check People Working with Children

This information will change during 2006 once the Commission for Children and Young People Amendment Act 2005 is proclaimed. Refer to the NSW Commission for Children and Young People website: www.kids.nsw.gov.au or contact 02 9286 7219 to ensure you have to date information. This information was updated 27 April 2006.

All NSW clubs and associations who engage/employ people in child-related activities (in a paid or voluntary capacity) must meet the requirements of the Working With Children Check. This is a legal requirement. Interstate clubs and organisations that visit NSW and engage/employ people in child-related activities (in a paid or voluntary capacity) may also be required to complete a Working with Children Check with the NSW Commission for Children and Young People. We are required to:

Register with the NSW Department of Sport and Recreation Employment Screening Unit:

- Identify positions (paid and voluntary) which are child-related positions.
- Obtain a Prohibited Employment Declaration (PED) from all existing employees in child-related positions. PED forms can be downloaded from www.kids.nsw.gov.au/check/resources.html. If the person is a prohibited person we must remove him/her from the child-related employment.
- Keep the PED in a secure place for as long as the person is employed.
- Ask preferred applicants for paid child-related positions to sign a Consent Form for a background check.
- Include advice about the Working With Children Check in information being provided about child-related positions (e.g. coach of junior team).
- Request a background check for preferred applicants for paid child-related employment before they start work.
- Decide whether to offer the applicant the position, taking into account the result of the Working With Children Check and any other information we have available.
- Where it is not practical to complete the background check prior to employment commencing, we must still complete the check as soon as possible. We must advise employees that their ongoing employment is conditional upon the satisfactory outcome of the check.
- Notify the NSW Commission for Children and Young People of any person whose application for child-related employment has been rejected primarily because of a risk assessment in the Working With Children Check. We must do this even if we offer the person an alternative position.
- Advise the person if their application was rejected primarily because of an adverse risk assessment in the Working With Children Check.
- Notify the NSW Commission for Children and Young People of any person against whom [relevant employment proceedings](#) have been completed; and
- Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process.

Child-related employment is any work (paid or unpaid) that involves direct and unsupervised contact with children in several types of areas such as sporting and recreation clubs and associations that have a significant child membership or involvement.

Employment includes work done:

- Under a contract of employment.
- As a sub-contractor.
- As a volunteer for an organisation.
- As a minister of religion (whether or not ordained).
- Undertaking practical training as part of an educational or vocational course.

Prohibited person is a person convicted of committing a serious sex offence or is a registrable person.

Registrable person is someone who has been found guilty of the following offences against children:

- Murder.
- Sexual offences.
- Indecency offences.
- Kidnapping.
- Child prostitution.
- Child pornography.

Relevant employment proceedings are disciplinary proceedings completed in NSW, or elsewhere, where an employer or professional body that supervises the conduct of the employee has found that **'reportable conduct'** or an act of violence occurred, or there is some evidence that it occurred. An act of violence will be relevant only if it was committed by an employee in the course of employment and in the presence of a child.

Reportable conduct is:

- Any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence).
- Any assault, ill treatment or neglect of a child.
- Any behaviour that causes psychological harm to a child.

Attachment B5: Western Australia Child Protection Requirements

This information is subject to change at any time. Refer to the Department of Community Development [Working with Children Screening Unit website www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au) or contact 1800 883 979. This information was updated on 1 April 2006.

From 1 January 2006, certain people working with children in Western Australia will be required to have a Working with Children Check (Check) – a national criminal history check and assessment of any record that appears as part of this check. The Check is compulsory under the *Working With Children (Criminal Record Checking) Act 2004*, and will be introduced progressively to different sectors over the next 5 years.

The Check will take into account convictions for any offence and charges for serious sexual and violent offences and will cost \$10.00 for volunteers and unpaid workers and \$50.00 for paid workers and self-employed people. Depending on the organization, the individual may have to pay the processing fee.

Applicants whose check is “successful” will be issued with either an ‘assessment notice’ in the form of an ID card which allows that person to work or volunteer with children across different types of ‘child-related work’. Applicants whose Check is “unsuccessful” will be issued with a ‘negative notice’, which prohibits any child-related work. In some cases an Interim Negative Notice may be issued while the screening process is completed. This means that you must not start or continue that person in ‘child-related work’ while the notice is current, and you can only start or continue that person in child-related work if they are later issued an Assessment Notice.

The Screening Unit must notify the employer, where known, of the outcome of applications for a Check.

Assessment notices will be valid for three years, unless the person has a “relevant change” in criminal record. If this occurs, the person is required to report this to their employer, who must then inform the Screening Unit, and a reassessment of the record takes place. The Police may also inform the Screening Unit where a person in child-related work has had a relevant change in criminal record.

Who needs to apply for a Check

People doing **child-related work** must have a Check by the date required under the [phasing-in arrangements](#). The definition of **child-related work**, under Section 6 of the *Working with Children (Criminal Record Checking) Act 2004* includes:

“Work is **child-related work** if the **usual duties** of the work involve, or are likely to involve, contact with a child in connection with:

- An educational institution for children.
- A coaching or private tuition service of any kind, but not including an informal arrangement entered into for private or domestic purposes.
- A club, association or movement (including of a cultural, recreational or sporting nature and whether incorporated or not) with a significant membership or involvement of children, but not including an informal arrangement entered into for private or domestic purposes.
- An overnight camp.

Note that categories of work not relevant to the activities of our sport have not been listed above. A full list of the categories of child-related work is available on the Working with Children website (www.checkwwc.wa.gov.au) or by calling the Screening Unit on (08) 6217 8100.

General exemptions

The following people are exempt from the legislation and will not need to have a Check:

- Volunteers under 18 years.
- Employers of and fellow employees working with young people, so long as they are not otherwise in child-related work.
- Parents volunteering where their child is also involved (This exemption does not apply to parents volunteering in connection with overnight camps).
- Short-term visitors to WA, for 2 weeks after their arrival, and for no more than 2 weeks in a 12 month period.
- People who carry out child-related work on no more than 5 days in a calendar year (except those working in child care services).

Specific exemptions from certain categories of child-related work

Category	Parent Exemption	Other exemptions
Educational institution for children	Work carried out on a voluntary basis by a parent of a child who is enrolled at the educational institution	WA College of Teaching members (for 2006 only)
Coaching or private tuition service of any kind	Work carried out on a voluntary basis by a parent of a child to whom the service is being provided in connection with an activity in which the child is participating or ordinarily participates	<ul style="list-style-type: none"> An informal arrangement entered into for private or domestic purposes Coaching or private tuition provided to a class of 2 or more students that is not provided primarily for children
Club, association or movement (including of a cultural, recreational or sporting nature and whether incorporated or not) with a significant membership or involvement of children	Work carried out on a voluntary basis by a parent of a child who is involved or is ordinarily involved in some or all of the activities of the club, association or movement	An informal arrangement entered into for private or domestic purposes
an overnight camp, regardless of the type of accommodation or how many children are involved	No parent exemption.	WA College of Teaching members, where overnight camp is in connection with: <ul style="list-style-type: none"> Community kindergarten; Educational institution for children; or Coaching or private tuition service

Obligations of employers, including organisations using volunteers include:

- You must not employ a person in child-related employment on more than five days in a calendar year unless he or she:
 - Has applied for a Check.
 - Already holds a current Assessment Notice by the date they are required to under the phasing-in arrangements.
- You must not employ someone in child-related employment if you are aware that he or she holds a Negative Notice or Interim Negative Notice.
- You must not employ a person in child-related employment if you are aware that the person has withdrawn his or her Check application.
- You must not employ a person in child-related employment if you are aware that he or she:
 - Has a conviction or pending charge for a [Class 1 or Class 2 offence](#).
 - Does not have a current Assessment Notice or an application for one that is still being considered.
- If an employee or volunteer reports a relevant change in criminal record to you, you must report this (in writing) to the Working with Children Screening Unit, as soon as practicable.
- If you receive a written request from the Working with Children Screening Unit, you must provide information or documents to show your compliance with your obligations as an employer.

It is okay for employers to start someone in child-related work once they have applied for a Check in line with the phasing-in arrangements (outlined below) and while the Check is being processed. The employer does not have to wait until the card is issued. Safeguards are in place to ensure that the Screening Unit notifies the employer if, in the mean time, a Negative Notice or Interim Negative Notice is issued, or if the person subsequently withdraws their application.

Phasing-in Arrangements

Checks are being phased-in over 5 years. If a person is carrying out child-related work and needs to apply for a Check, they must apply by the date required under the phasing-in arrangements. The information provided below about phasing-in arrangements is general information only. Only those categories of child-related work relevant to our sport are listed. For full details of the phasing-in arrangements for Checks please see Factsheet 2 "When to apply for a Working with Children Check", available at www.checkwwc.wa.gov.au, or by calling (08) 6217 8100.

Commencing in 2006

- Volunteers working with children aged 0 – 7 years in any category of child-related work.
- Self-employed people working with children in connection with **any category** of child-related work, **EXCEPT**
 - Child care licensees and "managerial officers".
 - Registered teachers working in educational settings.
 - Persons with an F or T drivers licence endorsement who carry out a transport service specifically for children.
 - People providing coaching or private tuition services for a TAFE or a Registered Training Organisation.
- "New" paid employees (who are not [public sector employees](#)) who commence child-related work after 1 January 2006 in the following categories of child-related work:
 - Coaching or private tuition services.
 - Clubs, associations or movements with a significant membership or involvement of children.
 - Overnight camps.
 - Children's entertainment or party services.

Commencing in 2007

- Volunteers working with children aged 8 – 12 years in any category of child-related work.
- "New" public sector employees who commenced child-related work after 1 January 2006.
- "New" paid employees who commenced work after 1 January 2006 in the following categories of child-related work:
 - Educational institutions for children.
 - People providing coaching and private tuition services for a TAFE, Registered Training Organisation or education service provider registered under the Education Service Providers (Full Fee Overseas Students) Registration Act 1991.

Commencing in 2008

- Volunteers Working with Children aged 13 – 17 years in any category of child-related work.

Commencing in 2009-2010

- "Continuing" paid employees (including public sector employees) who have remained in the same child-related work they were in before 1 January 2006, and are still in that position.

Attachment B6: Victoria Child Protection Requirements

This information is subject to change at any time. Refer to the Department of Justice website: <http://www.justice.vic.gov.au> and follow the Working with Children Check link under Business Units or contact 1300 652 879. This information was updated 1 April 2006.

Under the [Working with Children Bill](#) (2005) the Victorian Working with Children Check (Check) will require individuals who work or volunteer with children in certain capacities in identified occupations and activities to undergo screening for criminal offences.

A person who has no relevant criminal or professional disciplinary history will be granted an assessment notice. That notice will entitle the person to undertake child-related work. A person deemed unsuitable to work or volunteer with children will be given a negative notice and cannot work in [child-related work](#). A negative notice can be appealed to Victorian Civil and Administrative Tribunal (VCAT) provided the individual is not listed on the Sex Offenders Register or subject to an extended supervision order.

Who needs to apply for a Check

Any person who works in, or in connection with, in a paid or voluntary capacity, any of the 20 child-related occupational fields listed in the Act. This work must also usually involve (or be likely to involve) regular, direct contact with a child where that contact is not directly supervised. The following child-related categories are relevant to our sport.

- Educational institutions for children (such as schools and some TAFE programs).
- Clubs, associations or movements that provide services or conduct activities for or directed at children or whose membership is mainly comprised of children.
- Coaching or private tuition services of any kind for children.
- Direct commercial provision (and not incidental or in support of other business activities) of gym or play facilities specifically for children.

Exemptions

The following people will not need to have a Check:

1. Individuals aged under 18.
2. Volunteers involved in an activity in which their child ordinarily participates.
3. Individuals working only with children who are close family relations.
4. Secondary school students aged under 20 performing volunteer work arranged through the school where they are studying.
5. Sworn members of Victoria Police.
6. Teachers registered with the Victorian Institute of Teaching.
7. A visiting worker who does not ordinarily reside and perform child-related work in Victoria.

Phasing-in Arrangements

Checks are being phased in over the next five years, commencing in April 2006. The type of child-related work determines when people need to apply for a check. **At this stage it is anticipated that the sport sector will be phased in 2008/09.** More information on the phasing-in of Checks is available from www.justice.vic.gov.au.

Employer requirements

As an employer or volunteer organisation you must:

- Ensure all employees or volunteers who are required to get a Check do so at the correct time, which is indicated in the phasing plan.
- Where your employees or volunteers are not required to get a Check because their contact with children is directly supervised, ensure the supervisor has a Check unless an exemption applies. For example, the supervisor may be a registered teacher with the Victorian Institute of Teaching, making them exempt
- Ensure that employees or volunteers issued with a Negative Notice do not undertake child-related work as defined by the Working With Children Act 2005.

As an employer or volunteer organisation you should:

- Record your employee's and volunteer's unique Application Receipt Number received when they submit their application. The Act enables a person to continue or commence work while their application is pending
- Confirm that your employees and volunteers have been issued with an Assessment Notice after Check applications have been assessed by the Department of Justice.
- Sight your employee's or volunteer's Working with Children Check Card and confirm the status of their Card Number to verify that they have passed the Check. You can do this online from 1 July 2006, or by calling 1300 652 872
- Record your employee's or volunteer's Card Number, which is different from their Application Receipt Number.
- Develop internal processes in the event of an existing employee or volunteer being issued with an Interim Negative Notice or Negative Notice.

Attachment B7: South Australian Child Protection Requirements

This information is subject to change at any time. Refer to the Department of Families and Communities website www.familiesandcommunities.sa.gov.au or the South Australian Office for Recreation and Sport's website www.resport.sa.gov.au or contactif you have any queries about your obligations under the legislation. This information was updated on 1 May 2006.

Recent amendments to the *Children's Protection Act 1993*, in South Australia as per the *Children's Protection (Miscellaneous) Amendment Act 2005*, promote a whole of community responsibility to the care and protection of children and young people. Whilst yet to be proclaimed, new provisions relating to the establishment of child safe environments, facilitating effective criminal history checks and the extension of mandated notifiers, will all have an impact upon sporting and recreational organisations.

The new provisions will require government, non-government and volunteer organisations that are entrusted with the care of children or regularly come into contact with children to have strategies in place to prevent and minimise opportunities for abuse and to appropriately respond when abuse occurs or is suspected. Organisations will also be required to implement guidelines and processes that clearly outline effective and timely responses to child protection issues and steps of action.

Standards will be developed to assist organisations move towards creating safer environments for children. Requirements under the standards are likely to include:

- Codes of conduct and principles of good practice for working with children.
- Guidance on standards of conduct for adults in dealing with children.
- Advice on how to deal with cases of bullying or harassment of a child.
- Guidance on informing on cases of child abuse and neglect, or suspected abuse or neglect.
- Advice on the recruitment and supervision of staff of Government and non-government organisations.
- Guidance on how to handle procedures for complaints, and making the complaints process easier for children.
- Monitoring progress of child safe environments in Government and non-government sectors and periodic reporting.
- Developing and issuing standards in dealing with information about the criminal history of employees and volunteers.

The amendments to the *Children's Protection Act 1993* **may** also require sport and recreation organisations to develop or comply with new criminal history check provisions. This **may** mean undertaking a criminal history check for any person in a prescribed position (including employees, volunteers, agents, subcontractors and contractors) who has:

1. Regular contact/close proximity to children.
2. Supervision of such a person.
3. Access to children's records.
4. Or else as prescribed by regulation.

Mandatory reporting is currently a requirement by law in South Australia. Mandatory reporting means that those people covered by the law must report reasonable suspicions of child abuse or neglect. Those currently mandated under the law include teachers, medical practitioners, health professionals, child care workers, day care providers, social workers and workers, volunteers and managers within government departments or non-government agencies that provide services to children. **Under the new legislation a person employed by, or volunteering in, organisations that provide sporting or recreational services for children will also be mandated.**

Throughout the year, further information and advice relating to proclamation and implementation of these provisions will be provided by the Office for Recreation and Sport in South Australia. Once proclaimed, penalties of up to \$10,000 will apply for non-compliance with the requirements under the legislation. ***Until this time recreation and sport organisations should continue to follow the generic child protection requirements and the risk management process set out in 'Child Protection in Sport - National Overview' document provided by the Australian Sports Commission.***

PART C: PROCEDURES

To ensure due process, consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the HA, SA, AA and/ or AC will follow and implement the following procedures:

C1 Complaints Procedure

C2 Mediation Procedure

C3 Investigation Procedure

C4 Investigation Procedure for allegations of child abuse

C5 Hearings and Appeals Tribunal Procedure

C6 Disciplinary Measures

To avoid any doubt, any Complaint relating to:

- A State Association shall be referred to the Member Protection Officer and/or Hearings Convenor of the State Association. If a State Association has not appointed at least one Member Protection Officer and/or Hearings Convenor, the Complaint shall be referred to the Member Protection Officers and/or Hearings Convenor of HA.
- An Affiliated Association shall be referred to the Member Protection Officer and/or Hearings Convenor of the Affiliated Association. If the Affiliated Association has not appointed at least one Member Protection Officer and/or Hearings Convenor, the Complaint shall be referred to the Member Protection Officers and/or Hearings Convenor of the relevant State Association.

Attachment C1: Complaints Procedure

A complaint can be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy. Complaints will always vary. They may be about individual or group behaviour; they may be extremely serious or relatively minor; they may be about a single incident or a series of incidents; and the person about who the allegation is made may admit to the allegations or emphatically deny them.

Given all of the variables that can arise, HA provides a step-by-step complaint procedure that people may use/enter at any stage. Individuals and organisations to which this policy applies may also pursue their complaint externally under anti-discrimination, child-protection or other relevant legislation.

If at any point in the complaint process MPIO or President/ CEO considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter will be referred to the hearings tribunal for appropriate action. All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

Any person or organisation may make a complaint about a person or organisation to whom this Policy applies, if they consider that person or organisation has, or may have, committed a breach of any part of this Policy.

The Complaint will not be divulged to another person without the complainant's agreement, except in the case where a person is required by law to report the matter to governmental authorities (for example, in the case of suspected child abuse).

It is recommended that Complaints are handled, as far as possible, at an informal level. A commonsense, low-key approach is often far more satisfactory to the complainant and to the person complained about.

The four principles of case handling will apply at every stage of these procedures. This means that all responsible persons will handle all cases:

- Promptly.
- Seriously.
- Sensitive.
- Confidentially.

Step 1

As a first step you (the complainant) should try to sort out the problem with the person or people involved if you feel able to do so.

Step 2

If:

- The first step is not possible/reasonable.
- You are not sure how to handle the problem by yourself.
- You just want to talk confidentially about the problem with someone and get some more information about what you can do.
- The problem continues after you tried to approach the person or people involved; then talk with one of our MPIOs. A list of MPIOs can be obtained from your state/ territory association.

The MPIO will:

- Take notes about your complaint (which the MPIO will keep in a secure and confidential place).
- Try to sort out the facts of the problem.
- Ask what outcome/ how you want the problem resolved and if you need support.
- Provide possible options for you to resolve the problem.
- Explain how our complaints procedure works.
- Act as a support person if you so wish.
- Refer you to an appropriate person to help you resolve the problem, if necessary.
- Inform the relevant government authorities and/or police if required by law to do so.
- Maintain strict confidentiality.

Step 3

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 work out your own resolution (with or without a support person such as a MPIO).
- To seek an informal mediated resolution with the help of a third person (such as a mediator or a Manager).

If you wish to remain anonymous, HA, SA, AA and/ or AC can't assist you to resolve your complaint. We have to follow the principles of natural justice and be fair to both sides. This means that HA, SA, AA and/ or AC or you may be required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond to all the allegations.

Step 4

If your complaint is not resolved to your satisfaction, you may:

- make a formal complaint in writing
 - A written Complaint must be made to one of the following people:
 - A Member Protection Officer of HA, a State Association or Affiliated Association (if applicable).
 - The Chief Executive (or in their absence their Nominee) of HA, the relevant State Association or Affiliated Association.
- Approach a relevant external agency such as an equal opportunity commission, for advice.

Step 5

If you decide to make a formal complaint in writing under Step 4, the MPIO or CEO will, on receiving the formal complaint and based on the material you have provided, decide whether:

- They are the most appropriate person to receive and handle the complaint.
- The nature and seriousness of the complaint warrants a formal resolution procedure. Some complaints may be of a minor and/or purely personal nature with no connection to the activities of HA, SA, AA and/ or AC. In these cases, the MPIO or CEO may determine that the complaint does not warrant a formal resolution procedure.
- To appoint a person to investigate the complaint.
- To refer the complaint to an informal or formal mediation session.
- To refer the complaint to a hearings tribunal.
- To refer the matter to the police or other appropriate authority.
- To implement any interim administrative or other arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the MPIO or CEO will take into account:

- Whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised.
- Whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint.
- Your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled.
- Whether, due to the nature of the complaint, the relationship between you and the respondent and any other relevant factors, the complaint should be referred (or should not be referred) to informal or formal mediation or to a hearings tribunal. Relevant factors may include an actual or perceived power imbalance between you and the respondent, the nature of any ongoing working relationship between you and the respondent, and the personal attributes of you and the respondent (for example, if one party does not speak English fluently, some of the possible complaints resolution mechanisms may not be appropriate).
- The nature and sensitivity of any information or other material that must be provided by you, the respondent, and any of the other people involved in the complaint.;
- Whether the facts of the complaint are in dispute.
- The urgency of the complaint, including the likelihood and the consequences (if the complaint is ultimately proven) that you will be subject to further unacceptable behaviour while the complaint process set out in these Procedures is being conducted.

If the MPIO or CEO is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- Get full information from you (the complainant) about your complaint and how you want it resolved (if this information has not already been obtained through earlier steps).
- Put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story.
- Decide whether they have enough information to determine whether the matter alleged in your complaint did or didn't happen.
- Determine what, if any, further action to take. This action may include disciplinary action in accordance with **attachment C6**, appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session or a hearings tribunal and/or referring the complaint to the police or other appropriate authority.

Step 6

If:

- A person is appointed to investigate the complaint under **Step 5**, the investigator will conduct the investigation and provide a written report to MPIO or CEO who will determine what, if any, further action to take. This action may include a direction to the investigator to make further enquiries and obtain additional information, disciplinary action in accordance with **attachment C6**, and referring the complaint to an informal or a formal mediation session, a hearings tribunal and/or the police or other appropriate authority.
- The complaint is referred to an informal or a formal mediation session under **Step 5**, the mediation session will be conducted in accordance with **attachment C2** or as otherwise agreed by you and the respondent.
- The complaint is referred to a Hearings Tribunal under **Step 5**, the hearing will be conducted in accordance with **attachment C5**.
- The complaint is referred to the police or other appropriate authority under **Step 5**, HA, SA, AA and/ or AC will use its best endeavours to provide all reasonable assistance lawfully required by the police or other appropriate authority.
- Interim administrative or other arrangements are implemented under **Step 5**, HA, SA, AA and/ or AC will periodically review these arrangements to ensure that they are effective.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by the individual unless otherwise stated in the relevant Attachment.

Step 7

If, under Step 6, an informal or formal mediation session is conducted, and you and the respondent(s) can not reach a mutually acceptable mediated solution to the complaint, you may request that the MPIO or CEO reconsider the complaint in accordance with Step 5.

You or the respondent(s) may be entitled to appeal where:

- Under Step 5, a decision was made by the MPIO or CEO:
 - Not to take any action.
 - To take disciplinary action.
- Under Step 6, a decision was made by a mediator or a hearings tribunal:
 - Not to take any action.
 - To take disciplinary action.

The grounds for appeal and the process for appeals under this Policy are set out in **attachment C5**.

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/ outcome for you, or if you believe it would be impossible to get an impartial resolution within club/ association, you may choose to approach an external agency such as an equal opportunity commission to assist with a resolution.

Step 8

The MPIO will document the complaint, the process followed and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a state/district level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

External procedure

There may be a range of external options available to you depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory equal opportunity commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be a type of harassment that comes within its jurisdiction, you may then make a decision as to whether or not to lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, an investigation will be conducted. If it appears that unlawful harassment or discrimination has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made as to whether unlawful harassment or discrimination occurred. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

An anti-discrimination commission can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages.

If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

Attachment C2: Mediation

Mediation is a process by which people who are in conflict can be helped to communicate with each other about what is important for them and how to make decisions about resolving their dispute. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements.

This attachment outlines the general procedure of mediation that will be followed by HA.

18. The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur either before or after an investigation of the complaint.
19. Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved) will only be recommended:
 - a. After the complainant and respondent have had their chance to tell their version of events to the MPIO on their own; and
 - b. The MPIO does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the complainant desires; and
 - c. Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
20. Mediation will not be recommended if:
 - a. The respondent has a completely different version of the events and they won't deviate from these;
 - b. The complainant or respondent are unwilling to attempt mediation; or
 - c. Due to the nature of the complaint, the relationship between you and the respondent(s) and any other relevant factors, the complaint is not suitable for mediation.
21. under the direction of HA, SA, AA and/ or AC and in consultation with the complainant and the respondent(s), arrange for a mediator to mediate the complaint.
22. The MPIO will notify the respondent(s) that a formal complaint has been made, provide them with details of the complaint and notify them HA, SA, AA and/ or AC has decided to refer the matter to mediation to resolve the complaint.
23. The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
24. The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
25. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and it will be signed by them as their agreement.
26. If the formal complaint is not resolved by mediation, the complainant may:
 - a. Write to CEO/ Hearings Convenor to request that the CEO/ Hearings Convenor reconsider the complaint in accordance with Step 5; or
 - b. Approach an external agency such as an anti-discrimination commission.

Attachment C3: Investigation Process

If an investigation needs to be conducted the following steps are to be followed:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
2. The complainant will be interviewed and the complaint documented in writing.
3. The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.
4. The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.
5. If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.
6. The investigator will make a finding as to whether the complaint is:
 - a. substantiated (there is sufficient evidence to support the complaint);
 - b. inconclusive (there is insufficient evidence either way);
 - c. unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - d. mischievous, vexatious or knowingly untrue.
7. A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to CEO/ President and Hearings Convenor.
8. A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent(s).
9. Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
10. 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 C5**.

More detailed information on conducting internal investigations can be found at www.ausport.gov.au/ethics/policy.asp

Attachment C4: Investigation Procedure - Child Abuse

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

The following is a basic outline of the key processes to follow. More information can be obtained from your relevant State or Territory government agency.

Step 1 - Clarify basic details of the allegation

- Any complaints, concerns or allegations of child abuse should be made or referred to the MPIO.
- The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:
 - Listen to, be supportive and do not dispute what the child says;
 - Reassure the child that what has occurred is not the fault of the child;
 - Ensure the child is safe;
 - Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
 - Ensure that what the child says is quite clear but do not elicit detailed information about the abuse. You should avoid suggestive or leading questions.
- The person receiving the complaint should obtain and clarify basic details (if possible) such as:
 - Child's name, age and address;
 - Person's reason for suspecting abuse (observation, injury or other); and
 - Names and contact details of all people involved, including witnesses.

Step 2 – Report allegations of a serious or criminal nature

- Any individual or organisation to which this policy applies, should immediately report any incident of a serious or a criminal nature to the police and other appropriate authority.
- If the allegation involves a child at risk of harm, the incident should immediately be reported to the police or other appropriate government agency. You may need to report to both the police and the relevant government agency.
- The relevant State or Territory authority should be contacted for advice if there is any doubt about whether the complaint should be reported.
- If the child's parent/s are suspected of committing the abuse, report the allegation to the relevant government agency.

Step 3 – Protect the child

- The MPIO and CEO should assess the risks and take interim action to ensure the child's/children's safety. Some options that HA, SA, AA and/ or AC could implement include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined. Please be aware it is not the MPIO's role to actually undertake action such as redeploying someone – an MPIO should only recommend possible actions.
- The MPIO and CEO should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.

Step 4 – Further clarify and investigate allegation

- Seek advice from the police and relevant government agency as to whether the HA, SA, AA and/ or AC should carry out its own internal investigation (in addition to or in conjunction with any police or relevant government agency investigation).
- If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:
- Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency.
- If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of HA, SA, AA and/ or AC if required (example, professional counselling).
- Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (example, professional counselling) if necessary.
- Obtain a signed statement and record of interview from the person.
- Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority.
- Obtain other information that could assist in making a decision on the allegation.
- The information collected during the investigation should be made available to the relevant authorities.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

Step 5 – Record and analyse all information

- If an internal investigation was conducted under Step 4, the investigator will provide a report to the CEO and Hearings Convenor.
- The decision-maker(s) will be the CEO of HA and/ or SA and will remain separate and at arm's length from the investigator.
- The Hearings Tribunal will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

Step 6 – Undertake disciplinary action

- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, follow the procedures outlined in **attachment C6** of the policy.
- Implement any disciplinary decision recommended by the Hearings Tribunal. The action should be immediate.
- Check with the relevant state government authority to see if you need to forward a report (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).
- Complete the *Confidential Record of Child Abuse Allegation* report form in Part E of this policy. Retain the original in a secure place and forward a copy to the CEO of the HA.

Attachment C5: Hearings & Appeals Tribunal Procedure

- The following Tribunal Hearing Procedure will be followed by hearings tribunals established by HA, SA and AA.

Tribunal Formation and Notification

27. The Hearings Tribunal for each hearing shall be appointed by the Board of Directors (however described) of HA or the relevant State Association or Affiliated Association (if applicable).
28. The Hearings Tribunal Panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by MPIO, CEO or President relating to the complaint/allegations.
29. The Tribunal Hearing will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare to respond to the complaint.
30. The number of Tribunal Panel members required to be present throughout the Tribunal Hearing Process will be the number of members required as outlined in your Constitution.
31. The Tribunal Panel will not include any person who:
 - has any actual or perceived conflict of interest
 - preconceived opinions
 - vested interests or personal involvement relating to the complaint
 - a person who is a member of the Board of Directors (however described) of the organisation which appoints the Hearings Tribunal.
 - a person who would, by reason of their relationship with the complainant or the person complained about, be reasonably considered to be other than impartial.
- 31.1. The Tribunal Panel will comprise a barrister or solicitor (who shall be the Chairperson) or, if after reasonable attempts have been made to obtain one without success, then a person with considerable previous experience in the legal aspects of a disciplinary/hearings tribunal. A person with a thorough knowledge of the sport. One other person of experience and skills suitable to the function of the Hearings Tribunal
- 31.2. If a member of the Tribunal Panel cannot continue once the Tribunal Hearing has commenced, and the minimum number required for the Tribunal Hearing is still maintained, the discontinuing member will not be replaced.
- 31.3. If the specific or minimum number is not maintained, the discontinuing member may be replaced if it is considered appropriate by the Tribunal Chairperson. Factors to consider should include the circumstances of the complaint and the ability of the new Tribunal Panel member to be reasonably and impartially informed of the hearing evidence up until the time of their appointment. If the Tribunal Chairperson believes it is not appropriate for a new Tribunal Panel member to be appointed then the Tribunal will be rescheduled to a later date. The Tribunal Chairperson will inform the CEO or President of the need to reschedule, and CEO or President will organise for the Tribunal Hearing, with a new Tribunal Panel to be reconvened.
32. The CEO or President will inform the respondent(s) by written notification that a tribunal hearing will take place. The written notification will outline:
 - That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
 - Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);
 - 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;
 - An outline of any possible penalties that may be imposed if the complaint is found to be true; and
 - That legal representation will be allowed. If the respondent is considered a minor, they should have a parent or guardian present.

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

The respondent(s) will be allowed to participate in all HA, SA, AA and AC activities and events, pending the decision of the Tribunal, including any available appeal process, unless the CEO or President believes it is warranted to exclude the respondent(s) from all or some HA, SA, AA and AC activities and events, after considering the nature of the complaint.

33. The CEO or President will inform the person making the complaint (complainant) by written notification that a tribunal hearing will take place. The written notification 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 they are accused of breaching (if there is more than one complaint these should be set out separately);
 - 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; and
 - That legal representation will be allowed. If the respondent is considered a minor, they should have a parent or guardian present.

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

34. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the CEO or President as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.

Tribunal Hearing Procedure

35. The following people will be allowed to attend the Tribunal Hearing:
- The Tribunal Panel 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;
 - Minutes secretary.
29. The Tribunal Chairperson will call the hearing to order at the designated time and determine if the respondent(s) is present.
30. If the respondent(s) is not present 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 carried out correctly.
31. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) is presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been carried out correctly, then the Tribunal Hearing will be rescheduled to a later date.
32. The Tribunal Chairperson will inform the CEO or President of the need to reschedule, and the CEO or President will organise for the Tribunal Hearing to be reconvened.
33. The Tribunal Chairperson will read out the complaint that is to be judged, ask the respondent(s) if they understand the complaint being made against them, and if they agree or disagree with the complaint.
34. If the person agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures.

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35. If the person disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Brief notes may be referred to.
 - The complainant will be allowed to call witnesses.
 - The respondent(s) may be allowed to question the complainant and their witnesses.

 27. The respondent(s) will then be asked to respond to the complaint.
 - Brief notes may be referred to.
 - The respondent will be allowed to call witnesses.
 - The complainant may be allowed to ask questions of the respondent and their witnesses.

 1. Both the complainant and respondent will be allowed to be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the Tribunal Hearing until required.

 2. The Tribunal will be allowed to:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested them, but will not provide any new evidence.

 3. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.

 4. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone allowed to be present, the Tribunal Chairperson shall have the power to stop any further involvement of the person in the Tribunal Hearing.

 5. After all of the evidence has been presented the Tribunal Panel will make its decision in private. If the Tribunal believes the complaint has been substantiated on the balance of probabilities (i.e. more probable than not), the respondent will then be given an opportunity to address the Tribunal Panel and make a submission on any disciplinary measures that may be imposed. Only those disciplinary measures outlined in the Constitution/ Member Protection Policy will be considered. Any disciplinary measure imposed must be reasonable in the circumstances.

 6. The Hearings Tribunal shall give its decision as soon as practicable, but in any case within 7 days after the hearing and will deliver to the following a statement of its written reasons to the Chief Executive of the organisation which established the Hearings Tribunal. The Chief Executive shall then deliver the findings to

 7. All decisions made by the Tribunal will be based on a majority vote.

 8. The Tribunal Chairperson will announce the decision in the presence, where possible, of all those involved in the hearing and will declare the hearing closed.

 9. The Hearings Tribunal shall give its decision as soon as practicable, but in any case within 7 days after the hearing and will deliver to the following a statement of its written reasons to the Chief Executive of the organisation which established the Hearings Tribunal. The Chief Executive shall then deliver the findings to:
 - The complainant
 - The respondent(s)
 - Any other party represented in the hearing.

Appeals Procedure

27. A complainant or a respondent(s) who is not satisfied with a decision described in **Step 7** of the Complaints Procedures can lodge one appeal on one or more of the following bases:
- 27.1. That a denial of natural justice has occurred; or
 - 27.2. That the disciplinary measure(s) imposed is unjust and/or unreasonable.
28. An appeal shall be made to the following Appeal Body:
- 28.1. an appeal against a decision of a Hearings Tribunal established by an Affiliated Association shall be made to the Hearings Tribunal of the relevant State Association;
 - 28.2. an appeal against a decision of a Hearings Tribunal established by a State Association shall be made to the to the Hearings Tribunal of HA;
 - 28.3. an appeal against a decision of a Hearings Tribunal established by HA, shall be made to the appeal division of the Court of Arbitration for Sport (Oceania Registry) (CAS) (Referred to as the "Appeal Body")
33. A person wanting to appeal in accordance with paragraph 27 must lodge a letter stating their intention and the basis for their appeal with the CEO of the organisation of the relevant Appeal Body within 72 hours of the relevant decision.
- .1. The party wishing to appeal ("the Appellant") shall within 72 hours of the Hearings Tribunal delivering its decision to all parties involved:
advise, in writing, the Chief Executive of the organisation of the relevant Appeal Body of their intention to appeal ("Notice of Intention to Appeal"); and
in the case of an appeal to CAS from a decision of a Hearings Tribunal established by HA, complete and file an application to appeal with CAS in accordance with the Code of Sports Related Arbitration; and
- for all appeals, except those to CAS, as soon as possible after receipt of the Notice of Intention to Appeal, the Hearings Convenor of the organisation of the relevant Appeal Body shall appoint a Hearings Tribunal to hear and determine the appeal, which shall comprise of persons in accordance with paragraph 7; and
- within 5 days of lodging the Notice of Intention to Appeal, (or such shorter time as determined by the Appeal Body if there is urgency) the Appellant shall:
- (a) pay the appeal fee to the Chairperson of the Appeal Body, which shall be \$110.00 (including GST) which is non-refundable, except for an appeal to CAS which shall be as per the Code of Sports-Related Arbitration applicable to CAS; and
 - (b) 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.
30. If the letter of appeal is not received by the CEO within the relevant time period the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal shall be deemed to be withdrawn.
31. If it is considered that the letter of appeal has not shown sufficient grounds for appeal in accordance with paragraph 27, then the appeal will not proceed and the person will be notified of this decision and the reasons for this decision. The appeal fee will be forfeited.
32. If the appeal is considered to have sufficient grounds to proceed then a Hearings Tribunal with a new panel will be convened to rehear the complaint. The CEO of the relevant body shall follow the Tribunal Formation and Notification procedures outlined above.
33. The Tribunal Hearing Procedure shall be followed for the appeal.

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34. Upon hearing the appeal, the Appeal Body may do any one or more of the following:
 - (a) dismiss the appeal;
 - (b) uphold the appeal, in whole or in part;
 - (c) impose any of the penalties set out in **attachment C6**;
 - (d) reduce, increase or otherwise vary any penalty imposed by the initial Hearings Tribunal.
 35. The Chief Executive of the organisation from which the Appeal Body is established shall as soon as possible notify in writing HA, each State Association, and each Affiliated Association of the outcome of the appeal.
 36. The Appeal Body has no power to award costs and each party shall bear their own costs in relation to any appeal.
 37. To the extent of any inconsistency between the hearing appeal procedure set out in the constitution of HA, a State Association or Affiliated Association (if applicable) and the hearing appeal procedure set out in this By-law, this By-law shall prevail in relation to all Complaints under this By-law.
 38. The decision of the appeal Tribunal will be final.

Attachment C6: Disciplinary Measures

Any disciplinary measure imposed by the Hearings Tribunal under this policy must:

- Observe any contractual and employment rules and requirements.
- Conform to the principles of natural justice.
- Be fair and reasonable.
- Be based on the evidence and information presented.
- Be within the powers of the Hearings Tribunal to impose the disciplinary measure.

Individual

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

1. Direct that the offender attend counselling to address their conduct.
2. Recommend that HA, the relevant State Association or Affiliated Association terminate the appointment of the role which the offender holds with such organization.
3. Recommend that HA, the relevant State Association or Affiliated Association suspend the individual from participating in further activities, fixtures, competitions or events for a period determined appropriate by the Hearings Tribunal.
4. Where there has been damage to property, direct that the offender pay compensation to the relevant organisation which controls or has possession of the property.
5. Impose a monetary fine (in the case of persons holding paid positions).
6. Impose a warning.
7. In the case of a coach, direct the relevant organisation to de-register the accreditation of the coach for a period or indefinitely.
8. Withdraw any awards, placings, records won in any tournaments, activities or events held or sanctioned by HA, the relevant State Association or Affiliated Association.
9. Direct the offender to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by the Australian Sports Commission, any Federal or State funding agency, the Australian Olympic Committee, HA, a State Association, an Affiliated Association or any other organisation which has provided funding.
10. Any other such penalty as the organisation considers appropriate.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.

Organisations

If a finding is made that a State Association, Affiliated Association and/ or Affiliated Club has breached this policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by the Hearings Tribunal:

1. Direct that any funding granted or given to it by HA, the relevant State Association or Affiliated Association cease from a specified date.
2. Impose a monetary fine (in the case of persons holding paid positions).
3. Impose a warning.
4. Recommend to HA and/or the relevant State Association or Affiliated Association that its membership of such organisation be suspended or terminated in accordance with their applicable constitution.
5. Direct that any rights, privileges and benefits provided to that organisation by HA, a State Association or Affiliated Association be suspended for a specified period and/or terminated.
6. Direct that HA, a State Association or Affiliated Association cease to sanction events held by or under the auspices of that organization.
7. Any other such penalty as the organisation considers appropriate.

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8. If an organisation or individual commits a second or subsequent breach under this Policy then the Hearings Tribunal shall have regard to the previous breach, the penalty imposed and any other relevant factors, in imposing a penalty for the second or subsequent breach.
 2. If a penalty is imposed by the Hearings Tribunal under **clause** Error! Reference source not found., the Chief Executive of the organisation from which the Hearings Tribunal is established shall as soon as possible notify in writing HA of such penalty and HA shall in turn notify each State Association of such penalty. Notification of such penalty to State Associations shall be deemed to be notification to all Affiliated Associations which are members of the State Association.
 9. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by a Hearings Tribunal under this Policy.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation in the future may result in more serious form of discipline.

Factors to consider when imposing discipline

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

- If the individual is a parent and/or spectator (ability to enforce a penalty may be difficult).
- Nature and seriousness of the behaviour or incidents.
- In a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant.
- If the individual concerned knew or should have known that the behaviour was a breach of the policy.
- Level of contrition of the respondent(s).
- The effect of the proposed disciplinary measures on the respondent(s) including any personal, professional or financial consequences.
- If there have been relevant prior warnings or disciplinary action.
- If there are any mitigating circumstances such that the respondent(s) shouldn't be disciplined at all or not disciplined so seriously.

PART D: Role Specific Codes of Behaviour

Attachment D1: Coaches/ Managers/ Team Officials Code of Behaviour

Attachment D2: Official Code of Behaviour

Attachment D3: Player/Athlete Code of Behaviour

Attachment D4: Administrator Code of Behaviour

Attachment D5: Board Member Code of Behaviour

Attachment D6: Parent/Guardian Code of Behaviour

Attachment D7: Spectator Code of Behaviour

Attachment D1: 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 Conduct is met at all times.

Attachment D2: 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.

Attachment D3: Player/Athlete Code of Behaviour

As a player 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. 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 Conduct is met at all times.

Attachment D4: 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 D5: 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 D6: 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 inline 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 D7: 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.

1. Spectators are an important part of the game and shall at all times conform to accepted standards of good sportsmanship and behaviour.
2. Spectators 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 fellow 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. Support skilled performances and show respect for opposition teams and players.
6. Display appropriate social behaviour by not using profane, demeaning or derogatory language, or harassing players, coaches, officials or other spectators.
7. Leave the spectator area tidy and free from litter.
8. Do not ridicule mistakes or losses – supporters are there to support.
9. Acknowledge all volunteers who are giving up their valuable time to enable the conduct of competition.
10. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

PART E: Reporting Documents/ Forms

To assist in consistency and accuracy in following procedure and reporting on the issues covered by this policy, the following documents are to be used:

E1 Confidential Record of informal complaint – to be used by MPIOs or others who receive a complaint or allegation

E2 Confidential Record of Formal Complaint – to be used when a formal complaint is received by HA, SA, AA and/ or AC

E3 Confidential Record of Child Abuse Allegation – to be used by MPIOs or others who receive complaints/allegations of child abuse

E4 Record of Mediation – to be used by those who conduct a mediation

E5 Record of Tribunal Decision

General principles to be followed when completing a report of a complaint:

- Treat all complaints seriously.
- Deal with complaints promptly, sensitively and confidentially.
- Maintain a calm attitude.
- Ask the complainant if they will consent to you taking notes.
- Write the description of the complaint /problem using the complainants own words (as much as is possible).
- Find out the nature of the relationship between the complainant and the person complained about (for example, coach/competitor, team members, etc) and if there is any relevant history.
- Take a note of the facts and do not pre-judge the situation.
- Ask the complainant whether they fear victimisation or other consequences.
- Find out what outcome the complainant wants and if they need any support.
- Ask the complainant how they want the complaint to be dealt with under the policy.
- Keep the complaint confidential and do not disclose it to another person without the complainant's consent except if disclosure is required by law (for example, a report to government authorities) or if disclosure is necessary to effectively deal with the complaint.

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<table border="0"> <tr> <td><input type="checkbox"/> Harassment</td> <td><input type="checkbox"/> Discrimination</td> </tr> <tr> <td><input type="checkbox"/> Sexual/sexist</td> <td><input type="checkbox"/> Selection dispute</td> </tr> <tr> <td><input type="checkbox"/> Sexuality</td> <td><input type="checkbox"/> Personality clash</td> </tr> <tr> <td><input type="checkbox"/> Race</td> <td><input type="checkbox"/> Bullying</td> </tr> <tr> <td><input type="checkbox"/> Religion</td> <td><input type="checkbox"/> Verbal abuse</td> </tr> <tr> <td><input type="checkbox"/> Pregnancy</td> <td><input type="checkbox"/> Physical abuse</td> </tr> <tr> <td><input type="checkbox"/> Disability</td> <td><input type="checkbox"/> Victimisation</td> </tr> <tr> <td><input type="checkbox"/> Child Abuse</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other</td> <td></td> </tr> </table>	<input type="checkbox"/> Harassment	<input type="checkbox"/> Discrimination	<input type="checkbox"/> Sexual/sexist	<input type="checkbox"/> Selection dispute	<input type="checkbox"/> Sexuality	<input type="checkbox"/> Personality clash	<input type="checkbox"/> Race	<input type="checkbox"/> Bullying	<input type="checkbox"/> Religion	<input type="checkbox"/> Verbal abuse	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Physical abuse	<input type="checkbox"/> Disability	<input type="checkbox"/> Victimisation	<input type="checkbox"/> Child Abuse		<input type="checkbox"/> Other	
<input type="checkbox"/> Harassment	<input type="checkbox"/> Discrimination																		
<input type="checkbox"/> Sexual/sexist	<input type="checkbox"/> Selection dispute																		
<input type="checkbox"/> Sexuality	<input type="checkbox"/> Personality clash																		
<input type="checkbox"/> Race	<input type="checkbox"/> Bullying																		
<input type="checkbox"/> Religion	<input type="checkbox"/> Verbal abuse																		
<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Physical abuse																		
<input type="checkbox"/> Disability	<input type="checkbox"/> Victimisation																		
<input type="checkbox"/> Child Abuse																			
<input type="checkbox"/> Other																			
<p>Feelings expressed by complainant</p> <p>(completing this may help to separate emotional content from facts)</p>																			
<p>What they want to happen to fix issue</p>																			
<p>What information I provided</p>																			
<p>What they are going to do now</p>																			

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the CEO/ President.

Attachment E2: Confidential Record of Formal Complaint

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

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 Club/ Association		
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 Club/ Association	<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"/> Official <input type="checkbox"/> Other	
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:	

Attachment E4: Record of Mediation

Present at Mediation	
Date of mediation	
Venue of mediation	
Mediator	
Summary of mediation (minutes attached)	
Outcome of mediation	
Follow-up to occur (if required)	
Completed by: (signature)	
Signed by: Complainant (signature) Respondent (signature)	

Attachment E5: Record of Tribunal Decision

Complainant's Name		Date Formal Complaint Received: / /
Role/status in Club/ Association	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Official
Name of person complained about		
Role/status in Club/ Association	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Official
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint basis/ grounds/ category	<input type="checkbox"/> Harassment <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Sexuality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Pregnancy <input type="checkbox"/> Disability <input type="checkbox"/> Child Abuse <input type="checkbox"/> Other	<input type="checkbox"/> Discrimination <input type="checkbox"/> Selection dispute <input type="checkbox"/> Personality clash <input type="checkbox"/> Bullying <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Physical abuse <input type="checkbox"/> Victimisation
Methods (if any) of attempted informal resolution		
Support person (if any)		

