

[INSERT CLUB NAME]

[MEMBER PROTECTION POLICY*]

*[*This template will refer to the policy as a Member Protection Policy. Decide upon title for your policy and if different, this will need to be reflected throughout the template.]*

**** WHILE MUCH OF THIS POLICY IS DIRECTED AT, AND WORDED FOR, SPORTING CLUBS, THE PRINCIPLES BEHIND THIS POLICY CAN BE ADAPTED AND ARE APPLICABLE TO MANY OTHER SITUATIONS/CLUBS.**

VERSION *[insert version number]*

[insert date created or updated]

IMPORTANT NOTE:

For this and other policies to be binding, they must:

- *be formally adopted by your club in a general meeting.*
- *be referred to in membership forms e.g. the member agrees to be bound by the Constitution, Rules, Regulations and Policies of the Club, including its Member Protection Policy.*

Members need to be advised of the policy's existence and to sign a membership form agreeing to be bound by the policy.

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MEMBER PROTECTION POLICY

1. Introduction

[Insert your club's core values/ethical principles/mission statement.]

2. Purpose of Our Policy

The main objective of our Member Protection Policy is to maintain responsible behaviour and ethical and informed decision-making by participants in this club. This policy outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

3. Who Our Policy Applies To

Our policy applies to everyone involved in the club including committee members, administrators, coaches, officials (umpires/referees/judges), players, parents and spectators.

4. Extent of Our Policy

Our policy covers unfair decisions (e.g. team selection), breaches of our code of behaviour and inappropriate behaviour that occurs at practice, at meetings, in the club rooms, at social events organised or sanctioned by the club (or our district, regional, state or national body), on away and overnight trips and any behaviour that brings or is likely to bring our club or sport into disrepute. It also covers behaviour where there is suspicion of harm towards a child or young person.

5. Club Responsibilities

We will:

- make any necessary amendments to our Constitution, rules or other policies to enable this policy to be enforceable;
- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from, and if necessary or appropriate, refer serious issues to our *[district/region/state or national body]*.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our state or national body request to be referred to them (e.g. conflict of interest).

6. Individual Responsibilities

Everyone associated with our club must:

- comply with the standards of behaviour outlined in our policy;
- treat others with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

7. Protection of Children

7.1 Child Protection

Child abuse involves conduct which puts children at risk of harm and takes a number of different forms including:

- Physical abuse – e.g. deliberately hurting (hitting, punching), providing alcohol or drugs, training that exceeds child's development or maturity
- Sexual abuse – e.g. sexual acts or threats, inappropriate touching or conversations
- Emotional abuse – e.g. ill-treating by threats, humiliation, intimidation
- Neglect – e.g. not providing child with basic necessities (food, drink, clothing), failing to protect a child from foreseeable risk of harm or injury.

Abuse, is usually against the law. We will take measures to protect children involved in our club from harm. We will do this by:

- Responding to all reports of abuse promptly, seriously and confidentially;
- Complying with state/territory child protection laws and working with children check requirements (see attachment 2);
- Carefully selecting and screening people over the age of 16 years who will have regular supervisory contact with children;
- Promoting and enforcing our codes of behaviour, particularly for roles associated with children;
- Making information about child protection available, particularly for roles associated with children; and
- Adopting practices that provide the maximum opportunity for a child safe environment.

Anyone who reasonably suspects that a child has been or is being abused must report their concerns to the police or relevant government agency. Advise the *[Club President and CEO of the NSO]* that you have reported your concerns.

[7.2 Supervision

Members under the age of [] must be supervised at all times by a responsible adult. Our club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of [] is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

Parents must turn up on time to collect their child for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.]

[7.3 Transportation]

Parents/guardians are responsible for transporting their children to and from club activities (e.g. practice and games). Where our club makes arrangements for the transportation of children (e.g. for away or over night trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and appropriate safety measures are available (e.g. fitted working seatbelts).]

[7.4 Taking Images of Children]

Images of children can be used inappropriately or illegally. Our club requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. Our club also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If the club uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and/or club and ensure that the child is suitably clothed in a manner that promotes the sport and/or club, displays its successes, etc.

8. Anti-harassment, Discrimination and Bullying

Our club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

Our club takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club (see Responding to Complaints).

9. Inclusive practices

Our club is welcoming and we will seek to include members from all areas of our community.

[select all or only those relevant and/or add others]

9.1 [People with a disability]

Where possible we will include people with a disability in our teams and club. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

9.2 People from diverse cultures

We will support and respect people from diverse cultures and religions to participate in our club and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

9.3 Sexual & Gender Identity

All people, regardless of their sexuality, are welcome at our club. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

9.4 Pregnancy

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport and/or club. We recommend pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport and/or club, and ensure that they make informed decisions about participation.

10.5 Girls playing in boys teams

If there is not a separate sex competition, our club will support girls playing in boys teams up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age our club will consider each request on an individual basis including looking at the nature of our sport and/or club and other opportunities to compete.]

10. Responding to Complaints

10.1 Complaints

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to our *[district/region/state or national body]*.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club will need to report the behaviour to the police and/or relevant government authority and our national body.

10.2 Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (e.g. President, Member Protection Information Officer, Complaint officer) will:

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and

- maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the person complaining to talk to the person being complained about
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- referring the complaint to our *[district, regional, state or national]* association; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to our *[district, regional, state or national]* association and an inquiry is conducted, the club will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on our *[district, regional, state or national]* association's recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

10.3 Disciplinary Measures

Our club will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

10.4 Appeals



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The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our club to our *[district, regional, state or national]* association. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

Attachment 1: CODE OF CONDUCT

- *Members must behave in responsible manner when representing the Club, and foster an environment that encourages positive values of fairness, respect, responsibility and safety, and which honours the ethos and cultural values of Flinders University.*
 - *Members must abide by a policy of zero tolerance of alcohol when training or playing and zero tolerance of illegal or performance enhancing drugs at all times.*
 - *Members must comply with the terms and conditions of use for all Flinders University facilities.*
 - *Members must comply with the terms and conditions of the governing body of the sport or activity in which the Club participates.*
 - *Members must abide by all relevant state and Federal laws.*
 - *Members must comply with all relevant Flinders University policies and procedures and Codes of Conduct (including but not limited to Flinders University's policies on bullying, sexual harassment, equal opportunity, racism and disability).*
 - *Members must abide by a policy of zero tolerance for sexual assault, physical, mental or emotional abuse.*
 - *Members must comply with any additional regulations or requirements advised to the Club by the University.*
-

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

Attachment 2.1: SCREENING REQUIREMENTS

This attachment sets out the screening process for people in our club who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

Our Club will:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration (MPD)* (Attachment 2.2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied, we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to sign a consent form for a national police check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will 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, we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.



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Attachment 2.2: MEMBER PROTECTION DECLARATION

Our club has a duty of care to all those associated with our club. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised 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 or acts of violence *[you may choose to add other crimes you consider relevant e.g. narcotics]*.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.*[you may choose to add other crimes you consider relevant e.g. narcotics]*.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory* of

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

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

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

Name:.....

Signature:.....

Date:

Attachment 2.3: WORKING WITH CHILDREN CHECK REQUIREMENTS

[The following information was updated in April 2009. It is subject to change at any time.]

SOUTH AUSTRALIA

There are provisions under the *Children's Protection (Miscellaneous) Amendment Act 2005* that apply to non-government and volunteer organisations that are entrusted with the care of children or who regularly come into contact with children. Part of the Government regulations are 'Seven Principles of Good Practice' which clubs and organisations are expected to adopt as proactive and preventative strategies. These principles are to help prevent and minimise opportunities for abuse and to appropriately respond when abuse occurs or is suspected. The principles can be assessed at the following link:

http://www.recsport.sa.gov.au/training-development/documents/Keep_Children_Safe_Guidelines.pdf

Criminal history assessments (checks) are likely to be mandatory for most positions in sporting organisations from 2010/2011. Some exemptions could apply.

Staff and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspected child abuse and/or neglect.

For more information:

- <http://screening.dcsi.sa.gov.au/>



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Attachment 3: DUTY STATEMENTS

[insert]

Attachment 4: REPORTING FORMS

RECORD OF COMPLAINT

Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Complainant's contact details	Phone: Email:	
Complainant's role/status in Club	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player/member <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach Personnel <input type="checkbox"/> Support <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Person complained about role/status in Club	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player/member <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach Personnel <input type="checkbox"/> Support <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		

Description of alleged issue	
<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination</p> <p><input type="checkbox"/> Sexual/sexist methods <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching</p> <ul style="list-style-type: none"> • Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> • Verbal abuse • Race <input type="checkbox"/> Bullying • <input type="checkbox"/> Physical abuse • Religion <input type="checkbox"/> Disability • <input type="checkbox"/> Victimisation • Pregnancy <input type="checkbox"/> Child Abuse • <input type="checkbox"/> Unfair decision • Other
What they want to happen to fix issue	
Information provided to them	



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Resolution and/or action taken	
Follow-up action	