



Australian Government

Australian Sports Commission

**MEMBER PROTECTION
POLICY FRAMEWORK TEMPLATE**

(Revised October 2004)

**Updated June 2005:
to include changes in Child Protection Legislation**

Please check the ASC website (www.ausport.gov.au/memprotonline) for the most up-to-date version of this policy template.

Important information about this template

Why has the Australian Sports Commission provided this template?

Sporting organisations have legal obligations in relation to harassment, discrimination and child protection. They also have moral obligations in relation to establishing standards of appropriate behaviour and in providing safe, respectful and appropriate sporting environments. Increasingly, insurance companies are also requiring comprehensive risk management plans that include policies and procedures for addressing harassment, discrimination and child protection.

The issue of safe, respectful sporting environments is so important that the Australian Sports Commission (ASC) introduced a mandatory requirement for funding to address these issues. The funding criterion requires national sporting organisations to develop and implement policies and procedures to promote positive and respectful behaviours and to meet obligations relating to harassment, discrimination and child protection.

This framework template may be adapted by organisations as a first step towards meeting these objectives. Alternatively organisations may choose to use other model policies available from www.playbytherules.net.au or equal opportunity commissions, or develop a policy from scratch.

What is this template?

This document is a general template for guidance only. It is designed to assist organisations to write their own member protection policy. It provides a general framework of core policy position statements, organisational and individual responsibilities and codes of conduct that are relevant to all state/territory member associations, clubs and individuals. It also provides guidelines on state/territory child protection legislative requirements, and processes such as complaints handling, tribunals and investigations. Page iv provides a diagrammatic explanation of the framework.

What else is required?

In addition to the principles and procedures outlined in this template, it is important organisations also:

- Adopt thorough recruitment and selection practices for both paid and voluntary positions;
- Ensure current employees, volunteers, managers, coaches, members and parents are made aware of the policy and are advised where to obtain a copy of the policy;
- Ensure new employees, volunteers managers, coaches, members and parents are aware of the policy and are provided with a copy of the policy;
- Nominate a contact person within the organisation who is responsible for maintaining the policy;
- Promote the policy and procedures widely and regularly, including the requirement that everyone involved in the organisation is required to adhere to the policy and procedures;
- Ensure the policy is easily accessible (e.g. on website or on a notice board);
- Conduct **regular** education and awareness sessions regarding the policy, its requirements and the possible consequences for breaching the policy;
- Ensure that an adequate number of people are appropriately trained to receive and handle complaints (e.g. Member Protection Information Officers and/or Complaints Officers/Managers);
- Implement strategies that promote appropriate standards of conduct/behaviour;
- Ensure that complaints (grievances and allegations) are handled in accordance with the procedures provided in the policy;
- Ensure accurate records are kept in a safe and secure place;
- Take all 'reasonable steps' to prevent discrimination, harassment and child abuse from occurring in the organisation/sport; and
- Appoint a person to monitor, evaluate and regularly review the policy.

How do I use this template?

1. Find out if there are any particular federal or state laws and other requirements binding on your organisation relating to the issues covered in this template (examples are State child protection legislation and anti-discrimination legislation, the organisation's constitution and rules, and the contracts your organisation has entered into with other persons). This will require visiting the relevant websites of the Commonwealth Human Rights and Equal Opportunity Commission,

State/Territory Equal Opportunity Commissions and State/Territory Commissions for Children and Young People. Legal requirements constantly change so it is important to review your policy frequently and update it as required (at least annually).

2. Customise this template so it is relevant for use by your organisation (this may include changing the title of the policy) and delete pages i to iv. Note that all the words and sections that appear in brackets [] or [*words in italics*] require your organisation to insert its own words and edit the template accordingly.
3. Once this template has been customised, have it checked by a lawyer for legal accuracy and to ensure that your organisation's constitution and by-laws enables the policy and its actions to be enacted and enforced and that it fits with your other existing policies, rules and procedures.
4. Ensure that the policy, once endorsed, is formally incorporated into your organisation's Memorandum and Articles of Association or By-Laws.

Legal Notice

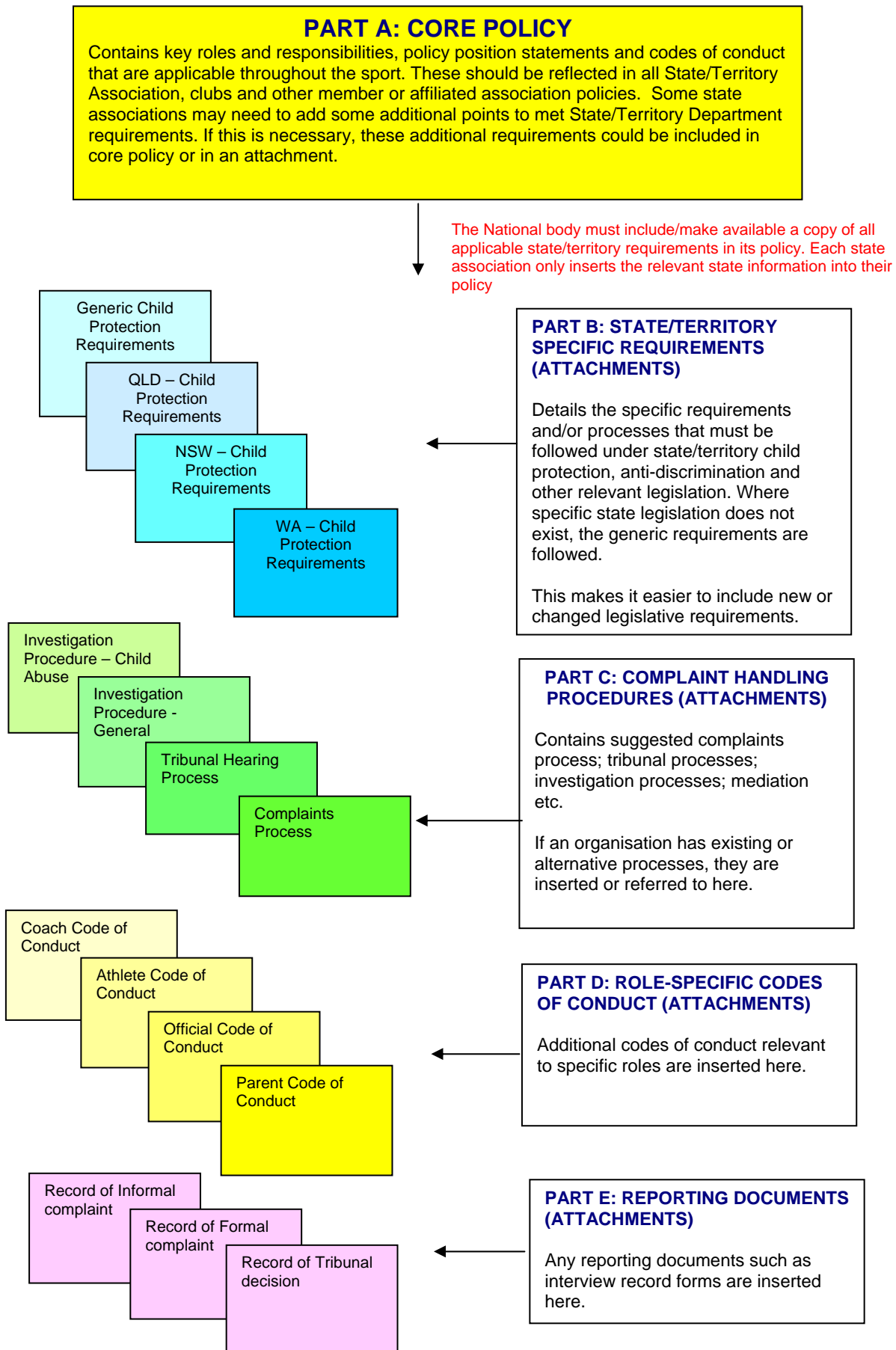
The ASC does not give legal advice to people or organisations.

This Member Protection Policy Framework template (template) covers issues that are the subject of federal and state laws. As the template is a framework document, it is general in nature. It may omit important information that could apply in a specific state/territory or to individual circumstances. Each organisation must ensure its member protection policy complies with the particular laws that apply to its organisation and people. It is important to obtain independent legal advice about these issues.

The ASC makes no representations in any way, express or implied, as to the accuracy of the information in this template or whether it complies with the particular laws governing an organisation. The ASC does not warrant, either expressly or impliedly, that this template suits an organisation's particular obligations and requirements. The ASC asks organisations to obtain independent legal advice before writing or implementing their own member protection policies.

The ASC does not accept responsibility for any errors or omissions contained in this template, or loss or damage however caused (including by negligence) which an organisation or any of its members, employees or agents or any other person, may directly or indirectly incur that arises out of or in connection with the use of or reliance on this template.

Policy Framework



Preface

PART A – [MEMBER PROTECTION*] [POLICY / BY-LAW / REGULATION]

*[*This template will refer to the policy as a Member Protection Policy. Decide upon title for the policy and if different, this will need to be reflected throughout template. Document may also be adopted as a by-law or regulation and not as a 'policy']*

1. [SO]'s Core Values
2. Purpose of Policy
3. Who this Policy Applies To
4. Code of Conduct
5. Organisational Responsibilities
6. Individual Responsibilities
7. Policy Position Statements
 - 7.1 Child Protection Policy
 - 7.2 Anti-Discrimination & Harassment Policy
 - 7.3 *[other relevant policy statements e.g. Sexual Relationships, Pregnancy, Transgender]*
8. Complaints Procedures
 - 8.1 Complaints
 - 8.2 Vexatious Complaints & Victimisation
 - 8.3 Mediation
 - 8.4 Tribunals
9. What is a Breach of this Policy
10. Forms of Discipline
11. Dictionary

PART B – ATTACHMENTS: CHILD PROTECTION REQUIREMENTS

[only include the relevant attachments. NSOs will need to include all, State associations & clubs will only need to include the relevant attachment for their state. Modify contents page to reflect changes]

- B1. QLD Child Protection Requirements
- B2. NSW Child Protection Requirements
- B3. WA Child Protection Requirements
- B4. Child Protection Requirements (generic)
- B5. Member Protection Declaration

PART C – ATTACHMENTS: COMPLAINT HANDLING PROCEDURES

[decide upon what procedures you wish to include in your policy. The following are some examples]

- C1. Overview of Complaints Procedure
- C2. Mediation
- C3. Investigation Procedure – General
- C4. Investigation Procedure – Child Abuse
- C5. Hearings & Appeals Tribunal Procedure
- C6. Disciplinary Measures

PART D – ATTACHMENTS: ROLE-SPECIFIC CODES OF CONDUCT

[decide upon what codes of conduct you wish to include. Examples include]:

- D1. Coach Code of Conduct
- D2. Official Code of Conduct
- D3. Player/Athlete Code of Conduct
- D4. Administrator (volunteer) Code of Conduct
- D5. Employee Code of Conduct
- D6: Board Member Code of Conduct
- D7. Parent Code of Conduct
- D8. Spectator Code of Conduct

PART E – ATTACHMENTS: REPORTING DOCUMENTS/FORMS

[decide upon what reporting documents/forms you require to be completed. Examples include]:

- E1 Record of Informal Complaint
- E2 Record of Formal Complaint
- E3 Record of Child Abuse Allegation
- E4 Record of Mediation
- E5 Record of Tribunal Decision

PREFACE

[Insert a Statement from the President or CEO which could include:

- *An explanation as to why the policy has been developed.*
- *A statement on your organisation's commitment to provide an environment safe for children, that is free from harassment and abuse for everyone, and promotes respectful and positive behaviour and values.*
- *A statement that the policy provides a code of conduct forming the basis of appropriate and ethical conduct which everyone must abide by.*
- *That this policy is an essential part of your organisations proactive and preventative approach to tackling inappropriate behaviour.*
- *A statement regarding the President/ CEO's commitment to ensuring that everyone associated with the organisation complies with the policy.*

Signature of CEO and/or President

SO Name

Date]

PART A – [MEMBER PROTECTION POLICY]

1. [SO's] Core Values

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

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.]

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, [SO] will take disciplinary action against any person or organisation bound by this policy if they breach it.]

This policy has been endorsed by [] and has been *[insert relevant information e.g. incorporated into our By-Laws]*. The policy starts on *[date]* and will operate until replaced. This policy and/or its attachments may be amended from time to time by *[insert how amendments can be made e.g. by resolution of the Board]*. Copies of the policy and its attachments can be obtained from our website [] or from [].

3. Who this Policy Applies To

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

- 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 **[SO]**;
- Parents, guardians, spectators and sponsors to the full extent that is possible.
- *[insert any others to whom you may wish the policy to apply]*

[This policy will continue to apply to a person even after they have stopped their association or employment with [SO] if disciplinary action, relating to an allegation of child abuse against that person, has commenced.]

4. Code Of Conduct

[SO] requires every individual and organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with other people and **[SO]**;
- 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 **[SO]'s** 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; and
- 4.8 Abide by the relevant Role-Specific Codes of Conduct outlined in Part D of this policy.

5. Organisational Responsibilities

The *[insert relevant organisations e.g. National body, member associations, affiliated clubs]* 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 *[e.g. Member Protection Information Officers (MPIOs) and/or Complaint Managers]* and display the names and contact details in a way that is readily accessible; and
- 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 *[*insert preferred wording from below or insert alternative wording]*
*[*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])*
- 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.

[SO] acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of our juniors. *[SO]* aims 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 *[work with / have regular contact with / direct and unsupervised contact with – insert preferred wording or insert alternative wording]* 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); and
- Providing education and/or information to those involved in our sport on child abuse and child protection.
- *[others]*

[SO] 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 *[insert relevant designated person/s e.g. MPIO, CEO]*. 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 [] 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

[SO] aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

[SO] recognises 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 sex, marital status, pregnancy, parental status, race, age, disability, homosexuality, sexuality, transgender, religion, political belief and/or industrial activity.

[SO] prohibits all forms of harassment and discrimination not only because it is against the law, but because it is extremely distressing, offensive, humiliating and/or threatening and creates an uncomfortable and unpleasant environment.

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 [] of this policy. This will explain what to do about the behaviour and how the [SO] will deal with the problem.

[7.3 Insert any other relevant Policy Position Statements, for example:

Sexual Relationships Policy

[SO] takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. [SO] 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. [SO]'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, [SO] will investigate whether any action against the coach is necessary. Factors that may be relevant to consider 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.

In the event that 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 *[SO's MPIO or complaints officer or other designated person]* if they feel harassed.

The law is always the minimum standard for behaviour within [SO] and therefore sex with a child is a criminal offence.

Other examples of policy position statements include Pregnancy Policy and Transgender Policy]

8. Complaints Procedures

8.1 Complaints

[SO] 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 *[insert relevant information e.g. MPIO, Complaints Manager, CEO of the []]*.

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 *[insert relevant information e.g. MPIO, Complaints Manager, CEO of the []]* 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 *[]* of this policy.

8.2 Vexatious Complaints & Victimisation

[SO] aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the *[insert relevant information e.g. MPIO, Complaints Manager, CEO]* considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the *[insert relevant person /committee /tribunal etc.]* for appropriate action which may include disciplinary action against the complainant.

[SO] 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

[SO] aims 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 / not 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 / other designated person]* will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in attachment *[]* of this policy.

8.4 Tribunals

A hearings tribunal may be formed to hear a formal complaint that has been referred by *[CEO/designated person]*, or an alleged breach of the policy. Our tribunal hearings procedure is outlined in attachment *[]* 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 *[]* 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.

*[Decide whether you want to insert the following additional paragraph:
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 *[insert existing information on breach of policy or adapt the suggestions below]*:

- 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 *[and/or the SO]* into disrepute;
- 9.4 Failed to follow *[SO]* 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 *[SO]* 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 [] of this policy.

11. Dictionary

[Note: Organisations may add/delete/change any words and their meaning relevant to their particular circumstances]

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 club means *[insert relevant words]*.

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; giving bad nutritional advice; 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 [] of this policy.

Complainant means the person making a complaint.

Discrimination means treating or proposing to treat a person less favourably than someone else in certain areas of public life on the basis of an attribute or personal characteristic they have. The relevant attributes or characteristics are:

- Age;
- Disability;
- Marital status;
- Parental/carer status;
- Physical features;
- Political belief/activity;
- Pregnancy;
- Race;
- Religious belief/activity;
- Sex or gender;
- Sexual orientation;
- Trade union membership/activity;
- Transgender orientation.

Some States and Territories include additional characteristics.

Discrimination is not permitted in the areas of employment (including volunteer and unpaid employment); the provision of goods and services; 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; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination may also be discriminatory conduct.

Discrimination may be direct or indirect. **Direct discrimination** is treating, or proposing to treat someone less favourably because of a characteristic (such as race, sex, age etc), in the same or similar circumstances. **Indirect discrimination** is imposing or intending to impose a requirement, condition or practice that is the same for everyone but which has an unequal or disproportionate effect on particular individuals or groups.

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, sexuality or other characteristic (see characteristic list under discrimination).

Whether or not the behaviour is harassment is determined from the point of view of the person receiving the harassment. 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.

Junior means a person under the age of eighteen (18) years who is participating in an activity of the [SO].

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 []

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, and
- providing education.

[Member Protection Information Officer (MPIO) or insert other terminology] 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.

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.