



**GRIDIRON ASSOCIATION OF SOUTH AUSTRALIA  
INCORPORATED**  
*(ABN )*

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**MEMBER PROTECTION  
POLICY**

Adopted and aligned with our NSO Gridiron  
Australia

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As approved by the Board of GASA April 2013

Effective from May 15, 2013

Amendments: April, 2012  
May, 2013

## PREFACE

As the body for the sport of Gridiron in the State of South Australia, GASA's purpose is to provide for the conduct, promotion and administration of the sport for the mutual and collective benefit of the Gridiron community.

We aim to provide opportunities for individuals of all ages and abilities to participate at their desired level as a player, referee or coach and deliver an events portfolio which supports these opportunities. At the highest level, this means delivering success in competitions through a sustainable and well-structured pathway. We do this through fostering relationships with key stakeholders to grow, enhance and better deliver Gridiron to the communities of South Australia.

It is vital that individuals in any facets of the sport (players, coaches, officials, administrators and volunteers) are able to participate freely. GASA is therefore committed to providing an environment that is safe for children, free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.

The following Member Protection Policy provides a code of behaviour which forms the basis of appropriate and ethical conduct which everyone must abide by. The policy not only provides the necessary framework for Gridiron organisations at all levels but also clearly articulates the operational requirements of these same organisations that are an integral component of the Gridiron delivery structure.

The Gridiron Association of South Australia is committed to ensuring that everyone associated with the organisation complies with this policy so that Gridiron participants at all levels have a positive, respectful and fulfilling experience.

GASA Board 2013





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## **PART A: MEMBER PROTECTION POLICY**

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### **1.1 A Vision**

To be a recognised sports association with a high profile by being nationally aligned organization with agreed performance outcomes and accountabilities that lead to:

- Increased participation
- Great competitions
- Increased international success
- Sustained growth
- Stakeholder satisfaction

### **1.2 Mission**

Our mission is to develop and service the sport of Gridiron for the enjoyment of all.

### **1.3 Core Values**

- Strive for excellence and innovation.
- Value the well being and diversity of our people.
- Be responsive to our stakeholders needs.
- Listen and communicate openly.
- Be open and transparent.
- Be co operative and work as a team.
- Be objective, fair and nationally focused in our decision making.

## **2. WHAT IS THE PURPOSE OF THIS POLICY?**

This 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, GASA will take disciplinary action against any person or organisation bound by this policy if they breach it.

**This policy has been endorsed by the Board under rules of the Constitution.**

The policy starts on endorsement and will operate until replaced. This policy and/or its attachments may be amended from time to time by amendments, by resolution of the GASA Board. Copies of the policy and its attachments can be obtained from our website [www.gridiron.sa.com.au](http://www.gridiron.sa.com.au) or from GASA Governance.

### **3. WHO DOES THIS POLICY APPLY TO?**

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

- (a) individuals appointed or elected to boards of directors, executives and/or committees and sub-committees of GASA, and State Affiliates;
- (b) employees, paid contractors and volunteers of GASA and State Affiliates;
- (c) support personnel (including, but not limited to, team managers and chaperons);
- (d) coaches and assistant coaches who:
  - (i) are appointed and/or employed by GASA and State Affiliates (whether paid or unpaid);
  - (ii) have an agreement (whether or not in writing) with GASA, a State Affiliate to coach at a facility owned/hired or managed by such organisation;
  - (iii) Are registered members of a coaching association.
- (e) participants who participate in Gridiron or who enter any competition, activity or events (including, but not limited to, camps and training sessions, etc) which are held or sanctioned by GA, GASA or a State Affiliate;
- (f) competition officials;
- (g) Members, including life members;
- (h) State Affiliates;
- (i) State Delegates;
- (j) Any other person or organisation that is a member of or affiliated to GA, a Member State or a State Affiliate (including Life Members); and
- (k) Parents, guardians, spectators and sponsors to the full extent that is possible including where such persons or organisations have agreed, in writing or otherwise, to be bound by this policy.





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

#### **4. CODE OF CONDUCT**

GASA requires every individual and organisation bound by this policy to:

- (a) Be ethical, fair and honest in all their dealings with other people and the GASA;
- (b) Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- (c) Always place the safety and welfare of children above other considerations;
- (d) Comply with the GASA Constitution and GASA's rules and policies including this Policy;
- (e) Operate within the rules and spirit of the sport;
- (f) Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- (g) Be responsible and accountable for their conduct; and
- (h) Abide by the relevant Codes of Conduct outlined in Part D of this policy.

#### **5. ORGANISATIONAL RESPONSIBILITIES UNDER THIS POLICY**

##### **5.1 Members and State Affiliate clubs must:**

- (a) Adopt, implement and comply with this policy;
- (b) Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- (c) Promote appropriate standards of conduct at all times;
- (d) Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- (e) Apply this policy consistently without fear or favour;
- (f) Recognise and enforce any penalty imposed under this policy;
- (g) Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
- (h) Appoint at least one Member Protection Information Officer (MPIO) to receive and handle complaints and allegations and display the names and contact details of such person(s) in a way that is readily accessible;
- (i) Monitor and review this policy at least annually; and





- (j) Make such amendments to their constitution, rules or by laws in order for this policy to be enforceable, as required by GA.

**5.2** The GASA Board, the State Affiliate clubs are responsible for taking all reasonable steps to ensure implementation, compliance and enforcement of this policy.

## **6. INDIVIDUAL RESPONSIBILITIES**

Individuals bound by this policy are responsible for:

- (a) making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- (b) Complying with our screening requirements and any State/Territory Working with children checks;
- (c) Placing the safety and welfare of children above other considerations
- (d) Being accountable for their behaviour;
- (e) co-operating in providing discrimination, child abuse and harassment free sporting environment; and
- (f) Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour and
- (g) Complying with any decisions and/or disciplinary measures imposed under 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.

GASA and affiliated bodies acknowledge that our staff and volunteers provide a valuable contribution to the positive experiences of our junior participants.

GASA 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:

- (a) developing and implementing a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another
- (b) prohibiting any form of abuse against children;
- (c) providing opportunities for our juniors to contribute to and provide feedback on the development and maintenance of child safe environments;
- (d) carefully selecting and screening people whose role requires them to work with junior participants and or have direct and unsupervised contact with children (screening procedures are outlined in Part B of this policy);
- (e) ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
- (f) providing procedures for raising concerns or complaints (complaints procedure is outlined in Part C of this policy); and
- (g) Providing education and/or information to those involved in our sport on child abuse and child protection.
- (h) Ensuring that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

GASA 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 to your Member State MPIO, 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 C 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 SA.

## **7.2 Taking Images of Children**

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

If GASA 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.

GASA will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. GASA will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by paedophiles or other persons.

GASA will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

## **7.3 Anti-Discrimination and Harassment Policy**

GA 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 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.

GA prohibits 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 and may be face-to-face, indirectly or via communication technologies such as mobile phone and computers.

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 GA will deal with the problem.





## 7.4 Sexual Relationships Policy

GASA takes the view that intimate relationships (whether or not of a sexual nature) between coaches and participants, while not necessarily of constituting harassment, can have harmful effects on the individual participant involved, on other participants and on the sport's public image.

Such relationships may be perceived to be exploitative because there is usually a disparity between coaches and participants in terms of authority, maturity, status and dependence. Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, they should be avoided by coaches at all levels. In the event that a participant attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions.

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

## 7.5 Pregnancy Policy

GASA is committed to providing an inclusive sporting environment for pregnant women involved in its activities.

GASA 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.

GASA 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 C of this policy. This will explain what to do about the behaviour and how GA 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. GASA 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.

## **7.6 Gender Identity Policy**

GASA is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate

GASA 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. We 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 C of this policy. This will explain what to do about the behaviour and how GASA will deal with the problem.

GASA 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 GASA will facilitate transgender or transsexual persons participating in our sport of the sex with which they identify.

GASA 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, GASA will seek advice on the application of those laws in the particular circumstances.

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





## 7.7 Alcohol Policy

GASA recommends that member Clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Generally, alcohol should not be available nor be consumed at a sporting event at which children under 18 are participants in the sport. Responsible service and consumption of alcohol should apply to any alcohol to be consumed after the competition has concluded, including light alcohol and soft drinks always being available; wherever possible, food being available to be consumed when alcohol is available; transport policies, and Board/Committee Members being in attendance to ensure appropriate practices are followed. Guidance can be obtained from the “Alcohol Management Policy” available at <http://www.goodsports.com.au/goodsports/pages/sample-policies.html>.

## 7.8 Smoking Policy

The following policies should be applied to sporting and social events:

- No smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of the GASA, Club or representative team, on and off the field.

## 7.9 Cyber Bullying/Safety

Bullying and harassment in all forms is regarded by GASA as unacceptable in this sport and members are referred to our Social media policy for our full position. Given the emergence of new telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on twitter or Facebook, for example, when the writer may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling club, league or peak sporting body.





## 7.10 Social Networking Websites Policy

GASA acknowledges the emergence of new technology and communication mediums (new media), and wishes to enable such new media to be used to benefit the sport and its participants, and to applaud achievements. This can occur due to the immediate nature of communication to a wide audience using channels such as Facebook, twitter, and SMS. However, participants within the sport need to be very mindful of a few key matters that could lead to inappropriate use of new media, at times unintended, and at other times without a proper understanding that once comments are made or published, they are in public for a long time, and hard to take back (retract).

The following Cautions GASA recommends:

- Do not include personal information of yourself or others in social media channels;
- Do not use offensive, provocative or hateful language;
- Use your best judgment – do not publish something that makes you the slightest bit uncomfortable, and never write/publish if you are feeling emotional or upset (or are intoxicated);
- Always ask for a person's permission before posting their picture on a social networking forum;
- Never comment on rumours, do not deny or affirm them or speculate about rumours; and
- Always use social network forums to add value and promote the sport in a positive way.

Members are referred to the GASA's developing Social Media policy for our position on the future and on-going development of Social networking and websites.





## **8. COMPLAINTS PROCEDURES**

### **8.1 Complaints**

GASA 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 the relevant MPIO.

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 the MPIO 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 C of this policy.

### **8.2 Vexatious Complaints & Victimisation**

GASA 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 MPIO considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the relevant Member of Management or the GASA Board for appropriate action which may include disciplinary action against the complainant.

GASA 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**

GASA and the States affiliate clubs 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 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 or 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 C of this policy.





## 8.4 Tribunals

A hearings tribunal may be formed to conduct a hearing into an alleged breach of the policy or a formal complaint that has been referred to the Board of Management. GASA tribunal hearings procedure is outlined in attachment C of this policy and in line with the bylaws of the Disciplinary Commissioner.

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 C of this policy.

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

## 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:

- (a) do anything contrary to this policy;
- (b) breach the Code of Conduct or any of the Role-Specific Codes of Conduct incorporated in this Policy;
- (c) bring the sport, GA, Members or the State Affiliates into disrepute;
- (d) fail to follow the GASA policies and procedures for the protection, safety and welfare of children;
- (e) have appointed or continue to appoint a person to a role that involves working with children and young people contrary to this policy;
- (f) discriminate against or harass any person;
- (g) victimise another person for reporting a complaint;
- (h) engage in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- (i) disclose to any unauthorised person or organisation any GA, Member, or Affiliated Club, information that is of a private, confidential or privileged nature;
- (j) make a complaint they **knew** to be untrue, vexatious, malicious or improper;
- (k) fail to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- (l) Fail 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.

## 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.

**GA** means the Gridiron Australia Inc., the national governing body for Gridiron in Australia.

**GASA** means the Gridiron Association of South Australia Inc.

**Constitution** means the constitution of GASA as amended from time to time.

**Chief Executive Officer** has the same meaning as in the GA Constitution.

**Chairman, GASA** has the same meaning as the GA CEO

**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); or





- 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).

**Codes of Conduct** means the standard of conduct required by GA which is set out in the codes of conduct and the Role-specific Codes of Conduct annexed to this policy.

**Complaint** means a complaint made under 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**. The latter 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 class venue is asked to leave;
- disability: a junior player is overlooked because of her mild epilepsy;
- family responsibilities: a club decides not to appoint a person because they have a child with a disability even though the person 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 team 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; and
- Sex: specialist coaching is only offered to male players in a mixed team.

**Frivolous** means trifling or futile.

**Harassment** is any type of behaviour that the other person does not want and does not return and 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. 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 definition).

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 participant 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 may include:

- holding a competitive sporting activity for females only who are 14 years of age or over where strength, stamina or physique is relevant; or
- 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.

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 definition.

**Hearings Convenor** means a person appointed in accordance with Attachment C4, who is responsible for the administration of hearings by the Hearings Tribunal.

**Hearings Tribunal** means the tribunal of GA or a Member State established to hear and determine alleged breaches and appeals under this Policy.

**Junior** means a person under the age of eighteen (18) years who is participating in an activity of the GA, Member State or Affiliated Club.

**Malicious** means with wrongful intention.

**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 State** has the same meaning as in the GA Constitution.

**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”)** 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; and
- 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 people in 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 Delegates** has the same meaning as in the GA Constitution.

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

**Vexatious** means malicious or trivial of intent.

**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: CHILD PROTECTION REQUIREMENTS**

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### **Background**

[Last update May 2011]

Child protection is about keeping children safe from harm/abuse. Child abuse is illegal, and all states and territories have their own systems and laws that cover screening and/or the reporting and investigation of cases of child abuse.

Working with Children Check (WWCC) laws aim to prevent people who pose a risk from working with children as paid employees or volunteers. In New South Wales, Queensland, Western Australia, Victoria Northern Territory and South Australian laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. This is done by checking certain criminal history and other matters. In some states this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

The Australian Capital Territory and Tasmania are currently reviewing their screening laws. New requirements and amendments will be added to this policy as they are introduced. There is no current screening process or formal legislation; however, individual employers or sporting organisations may require police checks at their discretion.

Please be aware that state and territory WWCC requirements may also apply to individuals who visit states with screening laws. For example, if a state association or club takes players U18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

The State WWCC requirements apply regardless of GA's Member Protection Policy or any similar policy adopted by a Member State or State Affiliate .

The following attachments provide:

- summary information on state and territory WWCC requirements and where to obtain more information and relevant forms
- our Member Protection Declaration (for all states/territories except NSW who must complete a Prohibited Employment Declaration provided by the NSW Commission for Children and Young People)
- our screening requirements for people residing in ACT and Tasmania

The GA Member Protection Declaration is provided at Attachment B2.

As part of GA's commitment to protecting the safety and welfare of children and young people involved in Gridiron activities, GA requires the requirements outlined in attachments B1 to B3 to be met.





## **Attachment B1: SCREENING REQUIREMENTS**

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Screening requirements apply in South Australia while Working with Children Checks is required.

This attachment sets out the screening process for people who currently occupy or who apply for any work (paid or voluntary) in our sport that involves direct and unsupervised contact with people under the age of 18 years.

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.

GASA and its State Affiliates will:

1. Identify positions (paid or voluntary) 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 B2) 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 is not provided or it reveals that the person does not satisfactorily meet any of the clauses in the MPD. GASA 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, it will not appoint the person 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 (including people applying for a position and people who currently occupy a position that involves direct and unsupervised contact with people under the age of 18 years) to **sign a consent form** for a national police check.
6. Request (or ask the person to request) a national 'Part Exclusion' police check from the relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, GASA will provide an opportunity for the person to give an explanation, and then it 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 GASA remains unsatisfied then it will not appoint the person to the role.
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 GASA's policy.
8. If unsatisfied, GASA or State Affiliate will:
  - (a) 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; and
  - (b) in the case of someone applying for the position/role, not appoint them.







9. Decide whether to offer the person the position taking into account the result of the police check and any other information GASA or State Affiliate has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, GASA or State Affiliate will complete the check as soon as possible, and if necessary, act immediately on the outcome.
10. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
11. 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 destroy such records 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 him/her. For appointed persons, information will be kept on file in a secure location.





**Attachment B2: Member Protection Declaration**

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GA has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with GA's activities. As part of this duty of care and as a requirement of GA's Policy, GA 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.

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.
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.
4. To my knowledge there is no other matter that the GA 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 organisation(s) engaging me immediately upon becoming aware that any of the matters set out in the clauses 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: Working with Children Protection Requirements**

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The following information was updated in April 2011. It is subject to change at any time.

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### **5. 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 is '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](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://www.dfc.sa.gov.au/pub/Default.aspx?tabid=281>





## **PART C: PROCEDURES**

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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 GASA will follow and implement procedures that are consistent and binding by the operation of the bylaws. These attached procedures will be guidelines enforced in conjunction with upholding the national framework of member protection policy.





## Attachment C1: Complaints Procedure

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### 1. Complaint Resolution Procedure

- (a) Any person or organisation may make a complaint about a person or organisation to which this Policy applies, if they consider that a person or organisation has, or may have, committed a breach of any part of this Policy ("**Complaint**").
- (b) The Complaint always belongs to the person or organisation that has made the Complaint ("**complainant**") and he/she/it will determine how their Complaint is dealt with. It 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).

### 2. Informal Complaint Resolution Procedure

- (a) It is not necessary to provide a written Complaint under this clause.
- (b) A complainant may seek to resolve the Complaint informally. The complainant **may** make an initial approach to:
  - (i) The MPIO of GASA or State affiliates;
  - (ii) the Chief Executive Officer or in their absence their Nominee; or
  - (iii) Another appropriate person within the organisation (e.g. team manager, coach etc).
- (c) If the person approached is a MPIO, they may:
  - (i) listen to and inform the complainant about their possible options; and/or
  - (ii) act as a support person for the complainant, including supporting them through any mediation process undertaken to resolve the Complaint.
- (d) The MPIO will:
  - (i) keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the Complaint; however,
  - (ii) he/she will inform the relevant governmental authority, if required by law.
- (e) If the complainant wishes to try and resolve the Complaint by mediation, the MPIO will arrange for a mediator (either the Mediator of GASA, or a relevant third person) to mediate the Complaint.
- (f) The Mediator shall:





- (i) notify the person complained about that an informal Complaint has been made and provide them with details of the Complaint; and
  - (ii) attempt to mediate a resolution between the complainant and the person complained about.
- (g) If an agreed resolution is reached between the complainant and the person complained about, the Complaint shall be deemed to have been withdrawn and no further action in relation to that Complaint may be taken (except for that which is agreed) under this Policy.
- (h) If the Complaint is not resolved informally following this process, the complainant may make a formal Complaint as set out below.
- (i) Nothing in this Policy prevents the complainant taking action under federal or state legislation.

### **3. Formal Complaint Resolution Procedure**

- (a) In order for a Complaint to be dealt with in accordance with this clause, a Complaint must be made in writing (however it need not be called or referred to as a Complaint).
- (b) A written Complaint must be made to one of the following people:
- (i) a MPIO of GASA or the relevant state affiliates. (A list of the MPIOs must be made available to any person requesting such list and shall be displayed at the premises of GASA); or
  - (ii) the Chief Executive Officer or in their absence their Nominee, of GA or the relevant Member State.
- (c) If a person listed in clause 3(b) above receives a Complaint then they must do the following:
- (i) if such person is not a MPIO, they shall forward such Complaint as soon as possible to a MPIO at either GA SA or the Member, whichever organisation the person complained about holds the highest role.
  - (ii) the MPIO must then ask the complainant whether s/he wishes them to:
    - A. listen to and inform the complainant about their possible options; and/or
    - B. act as a support person for the complainant, including supporting them through any mediation process undertaken to resolve the Complaint; and/or
    - C. refer the Complaint to the Hearings Convenor at GASA or Member affiliate, whichever organisation the person complained about holds the highest role, for a hearing to be held under the procedure in Attachment C4 (if mediation is not a relevant/appropriate option).





- (d) Having determined the complainant's wishes in clause 3(c)(ii), the MPIO will:
- (i) act in accordance with the complainant's direction in relation to the options set out in clause 3(c)(ii);
  - (ii) subject to clause 3(d)(iii), keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the Complaint; and
  - (iii) inform the relevant governmental authority, if required by law.
- (e) If the complainant wishes to try and resolve the Complaint by mediation, the MPIO shall immediately notify the Mediator of GASA or the Member affiliate that a Complaint has been made and provide them with a copy of the written Complaint. If an attempt to mediate was made under clause 2(f), the Mediator under this clause cannot be the same person.
- (f) The Mediator shall:
- (i) notify the person complained about, in writing, that a Complaint has been made and provide them with a copy of the written Complaint; and
  - (ii) attempt to mediate a resolution between the complainant and the person complained about.
- (g) If an agreed resolution is reached between the complainant and the person complained about, the Complaint shall be deemed to have been withdrawn and no further action in relation to that Complaint may be taken (except for that which is agreed) under this Policy.
- (h) If following the process above an agreed resolution is not reached then, with the complainant's agreement, the Mediator shall refer the Complaint to the Hearings Convenor at GASA or the relevant Member State, whichever organisation the person complained about holds the highest role, for a hearing to be held under the procedure in Attachment C4.
- (i) If a complainant withdraws the Complaint, no further action in relation to that Complaint may be taken (unless required by law) under this Policy.
- (j) For the avoidance of doubt, any Complaint relating to a State Affiliate shall be referred to the MPIO and/or Hearings Convenor of the GASA.
- (k) Nothing in this Policy prevents the complainant taking action under federal or state legislation.





#### 4. External procedure

- (a) 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 the ORS or 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.
- (b) 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.
- (c) 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.
- (d) 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: Investigation Process**

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If a Complaint is not received, but the **Chief Executive Officer** or in their absence their Nominee, or the MPIO of GASA or a Member affiliate receives information (whether or not in writing) which gives them reasonable cause to suspect that a breach of this Policy may have been committed, then he or she shall use their reasonable endeavours to advise the person who is suspected of being subject to Harassment, of the complaints procedures under this Policy.

Except as otherwise provided in this Policy, all information obtained by **the Chief Executive Officer or in their absence their Nominee, or the MPIO of GASA or a Member affiliate in accordance** with this clause must be kept confidential.

If an investigation needs to be conducted the following steps should be followed where relevant:

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:
  - substantiated (there is sufficient evidence to support the complaint);
  - inconclusive (there is insufficient evidence either way);
  - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
  - mischievous, vexatious or knowingly untrue.
7. A report documenting the complaint, investigation process, evidence, and finding and, if requested, recommendations will be given to the relevant person/tribunal.
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 C4.

### **Attachment C3: Investigation Procedure: Child Abuse**

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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 and where state legislation applies, to the appropriate authorities.
- The MPIO should seek advice from the police and relevant government agency as to whether the GA/Member State should carry out its own internal investigation (in addition to or in conjunction with any police or relevant government agency investigation).
- 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 MIPO should assess the risks and take interim action to ensure the child's/children's safety. Some options that the GA 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 MIPO 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 GA/Member State 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 GA/Member State 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 Chief Executive Officer or in their absence their Nominee.
- The decision-maker(s) will be the nominee of the GA Board/Member State, and will remain separate and at arm's length from the investigator.
- The decision-maker 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 C5 of the policy.
- Implement any disciplinary decision recommended. 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).





## Attachment C4: Hearings & Appeals Tribunal Procedure

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### 1. Hearings

- (a) Where the Hearings Convenor at GA or a Member State receives a Complaint referred to it under Attachment C1, he or she shall follow the procedures set out in this clause.
- (b) Upon receipt of the Complaint, the Hearings Convenor shall as soon as possible do the following:
- (i) Determine the composition of the Hearings Tribunal, as detailed in clause 1(c) below.
  - (ii) Send to the person complained about:
    - A. a notice setting out the alleged breach including details of when/where it is alleged to have occurred;
    - B. a notice setting out the date, time and place for the hearing of the alleged breach which shall be as soon as reasonably practicable after receipt of the Complaint; and
    - C. a copy of the Complaint,("Notice of Alleged Breach").
  - (iii) Send to the complainant(s) and the chairperson of the Hearings Tribunal a copy of the Notice of Alleged Breach.
- (c) The Hearings Tribunal for each hearing shall be appointed by the GA Board or the relevant Member State and shall comprise of the following persons:
- (i) 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;
  - (ii) a person with a thorough knowledge of the sport; and
  - (iii) one other person of experience and skills suitable to the function of the Hearings Tribunal, **provided that** such persons do not include:
    - A. a person who is a member of the Board (however described) of the organisation which appoints the Hearings Tribunal; or
    - B. a person who would, by reason of their relationship with the complainant or the person complain about be reasonably considered to be other than impartial.
- (d) Frivolous, vexatious or malicious Complaints:





- (i) If within 48 hours of sending the Notice of Alleged Breach, the person complained about alleges in writing to the Hearings Convenor that the Complaint is frivolous, vexatious or malicious, the chairperson shall as a preliminary issue, determine whether or not such Complaint is frivolous, vexatious or malicious and shall advise the parties of his or her determination.
  - (ii) The Hearings Convenor shall provide to the other parties to the hearing (see clause 1(f)) a copy of the written allegation made by the person complained about, that the Complaint is frivolous, vexatious or malicious.
  - (iii) The chairperson shall determine such preliminary issue as soon as practicable and in whatever manner the chairperson considers appropriate in the circumstances provided that he or she does so in accordance with the principles of natural justice.
  - (iv) The decision of the chairperson under this clause 1(d) may be appealed within 48 hours of the determination to the relevant appeal body under clause 2 below.
- (e) The Hearings Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the person complained about has committed a breach of this Policy. If the Hearings Tribunal considers that the person complained about has committed a breach of this Policy, it may impose any one or more of the penalties set out in Attachment C5.
- (f) The parties to the hearing shall include the complainant, the person complained about and the relevant organisation (being GA, the relevant Member State or the relevant Affiliated Club) and any witnesses which the Hearings Tribunal considers necessary to participate in the hearing.
- (g) If upon receipt of the Notice of Alleged Breach, the Hearings Tribunal considers that pending the determination of the matter the person complained about may put at risk the safety and welfare of the complainant or others, it may order that the person complained about be:
- (i) suspended from any role they hold with GA, the relevant Member State or the relevant Affiliated Club;
  - (ii) banned from any event or activities held by or sanctioned by GA, the Member States and/or the State Affiliates; and/or
  - (iii) required not to contact or in any way associate with the complainant or other person about whom the alleged breach relates,
- pending the determination of the hearing.
- (h) There is no right of appeal of the decision by a Hearings Tribunal under clause 1(g).





- (i) No party to the hearing may be represented by a barrister or solicitor. However the chairperson of the Hearings Tribunal may grant leave for a party to the hearing to be represented by a barrister or solicitor where their livelihood or proprietary is at risk. A party may be represented by an advocate who is not a barrister or solicitor at the hearing.
- (j) Each party to the hearing shall bear their own costs in relation to the hearing.
- (k) The Hearings Tribunal shall give its decision as soon as practicable after the hearing and the Hearings Convenor will deliver to the following a statement of the written reasons:
  - (i) the complainant;
  - (ii) the person complained about; and
  - (iii) any other party represented in the hearing.
- (l) Each member of each Hearings Tribunal established under this Policy shall be indemnified by the organisation which appointed them, from any claim or action for loss, damages, or costs made against them arising out of, or in connection with, their function as a member of the Hearings Tribunal under this Policy.
- (m) Except as otherwise provided in this Policy, all members of the Hearings Tribunal shall keep all matters relating to the hearing (including but not limited to the nature of the Complaint, information obtained before and during the hearing and the decision of the Hearings Tribunal) confidential.
- (n) To the extent of any inconsistency between the hearing procedure set out in the GA Constitution and the Member States and the hearing procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.

## 2. How can a decision be appealed?

- (a) The person complained about may appeal a decision of a Hearings Tribunal on the grounds that natural justice has not been provided.
- (b) An appeal shall be made to the following appeal body:
  - (i) an appeal against a decision of a Hearings Tribunal established by a Member State, shall be made to the Hearings Tribunal of GA. Subject to the discretion of the chairperson of the Hearings Tribunal, all appeals to GA shall be heard at a location nominated by GA; and
  - (ii) an appeal against a decision of a Hearings Tribunal established by GA, shall be made to the appeal division of the Court of Arbitration for Sport (Oceania Registry) ("CAS"),  
  
(referred to as the "**Appeal Body**").





- (c) There is only one right of appeal following the decision of the initial Hearings Tribunal. Any appeal must be solely and exclusively resolved by the Appeal Body and the decision of such Appeal Body is final and binding on the parties. It is agreed that no party to such appeal may institute or maintain proceedings in any court or tribunal other than the relevant Appeal Body. **Note: This provision does not prevent any person or organisation taking separate action under federal or state legislation.**
- (d) The process for such appeal is as follows:
- (i) the party wishing to appeal ("**Appellant**") shall within 72 hours of the Hearings Tribunal delivering its decision:
    - A. in the case of an appeal to GA, advise in writing the Hearings Convenor of GA of their intention to appeal ("**Notice of Intention to Appeal**");
    - B. in the case of an appeal to CAS, complete and file an application to appeal with CAS in accordance with the Code of Sports Related Arbitration;
    - C. for an appeal to the GA, as soon as possible after receipt of the Notice of Intention to Appeal, the Hearings Convenor of GA shall appoint a Hearings Tribunal to hear and determine the appeal, which shall comprise of persons in accordance with clause 1(c) above; and
    - D. 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:
  - (ii) pay the appeal fee to the Hearings Convenor of GA, which shall be \$110.00 (including GST) which is non-refundable, or in the case of an appeal to CAS, the fee as per the Code of Sports-Related Arbitration applicable to CAS; and
  - (iii) submit to the Hearings Convenor of GA or CAS (as the case may be) four written copies of the grounds of appeal. The Hearings Convenor of GA shall provide a copy of the grounds of appeal to the other party, to the Hearing Convenor of the organisation which established the Hearings Tribunal who made the decision which is the subject of the appeal and the chairperson of the Appeal Body.
- (e) If either of the requirements in this sub-clause are not met by the due time the appeal shall be deemed to be withdrawn.
- (f) On completion of the procedures in (d), the Hearings Convenor of GA or the chairperson of CAS (as the case may be) shall determine a place, time and date for the hearing of the appeal and as soon as possible thereafter notify all parties to the appeal in writing of such details.
- (g) The procedure for the appeal shall be the same as the procedure for the Hearings Tribunal set out in section 1 of this attachment C4 except where







the Appeal Body is CAS, in which case the Code of Sports-Related Arbitration shall apply.

- (h) The Appeal Body may reject an appeal on the basis that the grounds of appeal are not satisfied.
- (i) Upon hearing the appeal, the Appeal Body may do any one or more of the following:
  - (i) dismiss the appeal;
  - (ii) uphold the appeal;
  - (iii) impose any of the penalties set out in Attachment C5; and/or
  - (iv) reduce, increase or otherwise vary any penalty imposed by the initial Hearings Tribunal.
- (j) If the penalty imposed by the Appeal Body affects other organisations required to comply with this Policy, the Hearings Convenor of the Appeal Body shall as soon as possible notify in writing the relevant organisation of the penalty. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by an Appeal Body under this Policy.
- (k) The Appeal Body has no power to award costs and each party shall bear their own costs in relation to any appeal.
- (l) To the extent of any inconsistency between the hearing appeal procedure set out in the GA Constitution or the Member States and the hearing appeal procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.





## Attachment C5: Disciplinary Measures

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### What Penalties may be Imposed?

1. **For breaches committed by organisations:** If the Hearings Tribunal considers that GA, a Member State, a State Affiliate or any other organisation has breached this Policy, it may impose any one or more of the following penalties on such organisation:
  - (a) direct that any funding granted or given to it by GA or a Member State cease from a specified date;
  - (b) impose a monetary fine for an amount determined by the Hearings Tribunal;
  - (c) impose a warning;
  - (d) recommend to GA and/or the relevant Member State that its membership of such organisation be suspended or terminated in accordance with their applicable constitution;
  - (e) direct that any rights, privileges and benefits provided to that organisation by GA or a Member State be suspended for a specified period and/or terminated;
  - (f) direct that GA and Member States cease to sanction events held by or under the auspices of that organisation; and/or
  - (g) any other such penalty as the Hearings Tribunal considers appropriate.
  
2. **For breaches committed by individual persons:** If the Hearings Tribunal considers that an individual to whom this Policy applies has breached this Policy, it may impose any one or more of the following penalties on such person:
  - (a) direct that the offender attend counselling to address their conduct;
  - (b) recommend that GA, the relevant Member State or the relevant Affiliated Club terminate the appointment of the role which the offender holds with such organisation;
  - (c) impose a monetary fine for an amount determined by the Hearings Tribunal;
  - (d) impose a warning;
  - (e) withdraw any awards, placings, records won in any competitions, activities or events held or sanctioned by GA, a Member State or a State Affiliate;
  - (f) direct the offender to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by any federal or state funding agency, GA, a Member State, a State Affiliate or any other organisation which has provided funding; and/or
  - (g) any other such penalty as the Hearings Tribunal considers appropriate.





3. 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.
4. If the penalty imposed by the Hearings Tribunal affects other organisations required to comply with this Policy, the Hearings Convenor of the organisation from which the Hearings Tribunal is established shall as soon as possible notify the relevant organisations of the penalty.
5. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by a Hearings Tribunal under this Policy.
6. When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation or person in the future may result in more serious form of discipline.
7. Factors to consider when imposing discipline
  - (a) The form of discipline to be imposed on an individual or organisation will depend on factors such as:
    - any difficulty that might arise in enforcing the penalty;
    - 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; and/or
    - if there are any mitigating circumstances such that the respondent(s) shouldn't be disciplined at all or not disciplined so seriously?
  - (b) Any disciplinary measure imposed 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; and





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Incorporating FLAG FOOTBALL

- be within the powers of the relevant person or body to impose the disciplinary measure.





## **PART D: CODES OF CONDUCT**

### **Attachment D1: General Code Of Behaviour**

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As a person required complying with this Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GASA:

1. Respect the rights dignity and worth of others.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for your actions.
4. Make a commitment to providing quality service.
5. 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.
6. Be aware of, and maintain an uncompromising adherence to GA standards, rules, regulations and policies.
7. Operate within the rules of GASA including national policies and guidelines which govern GA and the Member affiliates.
8. Understand your responsibility if you breach, or are aware of any breaches of this Code of Behaviour.
9. Do not use your involvement with GASA to promote your own beliefs, behaviours or practices where these are inconsistent with those of GASA.
10. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
11. Refrain from any form of abuse towards others.
12. Refrain from any form of harassment towards, or discrimination of, others.
13. Provide a safe environment for the conduct of the activity.
14. Show concern and caution towards others who may be sick or injured.
15. Be a positive role model.





## **Attachment D2: Administrator Code Of Conduct**

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In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of GASA in any role as an administrator of GASA or a State Affiliate:

1. Be fair, considerate and honest in all dealing with others.
2. Be professional in, and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
3. 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.
4. Resolve conflicts fairly and promptly through established procedures.
5. Maintain strict impartiality.
6. Maintain a safe environment for you and others.
7. Be aware of your legal responsibilities.
8. Be a positive role model for others.





## **Attachment D3: Coach Code Of Conduct**

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In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GA, a Member State or a State Affiliate and in your role as a coach of GASA GA, or State Affiliate:

1. Treat all participants with respect at all times. Be honest and consistent with them. Honour all promises and commitments, both verbal and written.
2. Provide feedback to participants in a caring sensitive manner to their needs. Avoid overly negative feedback.
3. Recognise participants' rights to consult with other coaches and advisers. Cooperate fully with other specialists.
4. Treat all participants fairly within the context of their sporting activities, regardless of gender, race, and place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions.
5. Encourage and facilitate participants' independence and responsibility for their own behaviour, performance, decisions and actions.
6. Involve the participants in decisions that affect them.
7. Determine, in consultation with participants and others, what information is confidential and respect that confidentiality.
8. Encourage a climate of mutual support among your participants.
9. Encourage participants to respect one another and to expect respect for their worth as individuals regardless of their level of play.
10. At all times use appropriate training methods which in the long term will benefit the participants and avoid those which could be harmful.
11. Ensure that the tasks/training set are suitable for age, experience, ability and physical and psychological conditions of the participants.
12. Be acutely aware of the power that you as a coach develop with your participants in the coaching relationship and avoid any sexual intimacy with participants that could develop as a result.
13. Avoid situations with your participants that could be construed as compromising.
14. Actively discourage the use of performance enhancing drugs, the use of alcohol and tobacco and illegal substance.
15. Respect the fact that your goal as a coach for the participant may not always be the same as that of the participant. Aim for excellence based upon realistic goals and due consideration for the participant's growth and development.
16. Recognise individual differences in participants and always think of the participant's long-term best interests.
17. Set challenges for each participant which are both achievable and motivating.





18. At all times act as a role model that promotes the positive aspects of sport and of Gridiron by maintaining the highest standards of personal conduct and projecting a favourable image of the sport of Gridiron and of coaching at all times.
19. Do not exploit any coaching relationship to further personal, political, or business interests at the expense of the best interest of your participants.
20. Encourage participants and coaches to develop and maintain integrity in their relationship with others.
21. Respect other coaches and always act in a manner characterised by courtesy and good faith.
22. When asked to coach participants, ensure that any previous coach-participant relationship has been ended by the participant-others in a professional manner.
23. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.
24. Know and abide by GASA rules, policies and standards, and encourage participants to do likewise. Accept both the letter and the spirit of the rules.
25. Be honest and ensure that qualifications are not misrepresented.
26. Be open to other people's opinion and willingness to continually learn and develop.







## **Attachment D4: Participants Code Of Conduct**

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In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GASA GA, a State Affiliate and in your role as participants of GASA or a State Affiliate:

1. Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.
2. Refrain from conduct which could be regarded as sexual or other harassment towards fellow participants and coaches.
3. Respect the talent, potential and development of fellow team members and competitors.
4. Care and respect the equipment provided to you as part of your program.
5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
6. Conduct yourself in a professional manner relating to language, temper and punctuality.
7. Maintain high personal behaviour standards at all times.
8. Abide by the rules and respect the decision of the adjudicator.
9. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
10. Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.





## **Attachment D5: Officials Code Of Conduct**

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In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GASA GA, or a State Affiliate and in your role as an official appointed by AGOA:

1. Place the safety and welfare of the participants/participants above all else.
2. Accept responsibility for all actions taken.
3. Be impartial.
4. Avoid any situation which may lead to a conflict of interest.
5. Be courteous, respectful and open to discussion and interaction.
6. Value the individual in sport.
7. Encourage inclusivity and access to all areas of officiating.





## **Attachment D6: Parent/Guardian Code Of Behaviour**

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In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GASA or a State Affiliate and in your role as a parent/guardian of a participant of GASA or a State Affiliate:

1. Treat your child the same irrespective of them winning or losing.
2. Remember that your child participates in the sport of Gridiron for their enjoyment not yours.
3. Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
4. Look relaxed, calm and positive on the sidelines.
5. Make friends with other parents at competitions.
6. Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
7. Let the coach do the coaching.
8. Understand that children will benefit from a break sometimes and that involvement in other sports is okay.
9. Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
10. Be prepared to give your child some space so that he/she can grow and develop as an independent person.
11. Let your child know that your love for them is not associated with their sporting performances.
12. Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
13. Occasionally let your child compete without you being there and hovering over them.
14. Emphasise the good things your child did in preparing for and during the competition.
15. Try to avoid:
  - Saying “we’re competing today”. Instead say “you’re competing today”. Give your child credit for accepting the responsibility of performing.
  - Getting too pushy or believe that you are indispensable. Let the coach do the coaching.
  - Living through your child’s performances.
  - Turning away when your child performs.





- Turning away when your child's behaviour is unsportsmanlike.
- Telling your child what he/she did wrong after a tough competition.
- Making enemies with your child's opponents or family during a competition.
- Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport.
- Thinking of your child's sporting performances as an investment for which you expect a return.
- Badgering, harassing or use sarcasm to motivate your child.
- Comparing your child's performances with those of other children.
- Forcing your child to go to training. If they are sick of training find out why and discuss it with them.





## **PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS**

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The following information was updated in November 2011. It is subject to change at any time.

### **SOUTH AUSTRALIA**

Staff and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspicion of child abuse and/or neglect that they may form in the course of their employment or volunteer activity based on reasonable grounds. This obligation extends to persons holding a management position whose duties include direct responsibility for, or direct supervision of the provision of services to children.

Reports are made to the CHILD ABUSE HELP LINE 13 14 78

A reasonable suspicion must be based on facts, for example:

- A disclosure of abuse by a child
- Professional judgement, based on the notifier's experience and observations

The organisation has an obligation to make each affected person aware of this legal obligation.

There is no obligation that recreation or sporting organisations require mandated reporters to undertake formal external training in the recognition of child abuse.

The law also stipulates that no person shall threaten or intimidate, or cause damage, loss or disadvantage to another person because that person has made a notification or proposes to make a notification pursuant to the *Children's Protection Act 1993*.

For more information: [www.dcsi.sa.gov.au](http://www.dcsi.sa.gov.au)





To assist in consistency and accuracy in following procedure and reporting on the issues covered by GASA's 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 GA/Member State

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 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.





**Attachment E1: Confidential Record Of Informal Complaint**

MPIO Name	Date:    /    /	
Complainant's Name	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official ..... .....	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Facts as stated by complainant		
Nature of complaint (category/basis/grounds)  Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> 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 .....	
Feelings expressed by complainant (completing this may help to separate emotional content from facts)		
What they want to happen to fix issue		





What information I provided	
What they are going to do now	

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 Chief Executive Officer or in their absence their Nominee, of GA or a Member State.







**Attachment E2: Confidential Record Of Formal Complaint**

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official ..... .....	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official ..... .....	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
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 or <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 .....	
Methods (if any) of attempted informal resolution		
Support person (if any)		





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

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







Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position in GASA: Signature: / /
Signed by	Complainant (if not a child)

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





**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 volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official ..... .....	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about		
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official ..... .....	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category)	<input type="checkbox"/> Harassment or <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 Other .....	
Methods (if any) of attempted informal resolution		
Support person (if any)		
Tribunal Members		
Tribunal Hearing Date and venue		
Tribunal Decision (attach report)		





Action recommended and any follow up report required	
Decision Appealed	
Date of Appeal lodged	
Appeal Hearing Date	
Appeal Decision (attach report)	
Action Recommended	
Completed by	Name: Position in GA: Signature: / /
Signed by:	Complainant Respondent

