



**Sharks Sporting Club Townsville Inc.**

**("Sharks Touch Club")**

## **MEMBER PROTECTION POLICY**

*Effective: 01 January 2016*

# MEMBER PROTECTION POLICY

CONTENTS	PAGE
1. Mission Statement	3
2. Purpose of Our Policy	3
3. Who Our Policy Applies To	3
4. Extent of Our Policy	3
5. Club Responsibilities	3
6. Individual Responsibilities	3
7. Protection of Children	
7.1 Child Protection	4
7.2 Supervision	5
7.3 Transportation	5
7.4 Taking Images of Children	5
8. Anti-Harassment, Discrimination and Bullying	5
9. Intimate Relationships	6
10. Inclusive Practices	
10.1 People with a Disability	7
10.2 People from Diverse Cultures	7
10.3 Sexual & Gender Identity	7
10.4 Pregnancy	7
10.5 Girls playing in boys teams	7
11. Social Networking	7
12. Responding to Complaints	
12.1 Complaints	7
12.2 Complaint Handling Process	8
12.3 Disciplinary Measures	8
12.4 Appeals	9
<b>Attachment 1: Screening Requirements</b>	
1.1. Screening Requirements	10
1.2. Member Protection Declaration (MPD)	11
1.3. Working with Children Check Requirements	12
<b>Attachment 2: Codes of Behaviour</b>	13
<b>Attachment 3: Reporting Forms</b>	15

# MEMBER PROTECTION POLICY

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## 1. Mission Statement

“To provide a friendly environment where players may develop their skills whilst still enjoying the social aspects of the sport of Touch”

## 2. Purpose of Our Policy

The main objective of our Member Protection Policy (policy) is to maintain responsible behaviour and the making of informed decisions by participants in this club. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse.

Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

## 3. Who Our Policy Applies To

Our policy applies to everyone involved in the club including committee members, administrators, coaches, officials, players, parents and spectators.

This policy has been endorsed by the club's Management Committee and has been incorporated into our By-Laws. The policy starts on 1 January 2016 and will operate until replaced.

## 4. Extent of Our Policy

Our policy covers unfair decisions and actions, breaches of our code of behaviour and behaviour that occurs at training, competition, and at social events organised or sanctioned by the club. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

## 5. Club Responsibilities

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to the North Queensland Touch Association, Touch Football Queensland, and/or Touch Football Australia..

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

## 6. Individual Responsibilities

Everyone associated with our club must:

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

## **7. Protection of Children**

### **7.1 Child Protection**

Sharks Touch Club is committed to the safety and wellbeing of all children and young people accessing our service. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

Sharks Touch Club acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. Sharks Touch Club aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

#### **7.1.1: Identify and Analyse Risk of Harm**

Sharks Touch Club will develop and implement 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 person.

#### **7.1.2: Develop Codes of Conduct for Adults and Children**

Sharks Touch Club will ensure that the organisation has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation will also implement a code of conduct to address appropriate behaviour between children.

The code(s) of conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour. (See Part B)

#### **7.1.3: Choose Suitable Employees and Volunteers**

Sharks Touch Club will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Sharks Touch Club will ensure that working with children checks/criminal history assessments are conducted for volunteers working with children, where an assessment is required by law.

If a criminal history report is obtained as part of their screening process, Sharks Touch Club will ensure that the criminal history information is dealt with in accordance with relevant state requirements. (See Part C)

#### **7.1.4: Support, Train, Supervise and Enhance Performance**

Sharks Touch Club will ensure that volunteers 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.

#### **7.1.5: Empower and Promote the Participation of Children In Decision-Making And Service Development**

Sharks Touch Club will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

### **7.1.6: Report and Respond Appropriately To Suspected Abuse and Neglect**

Sharks Touch Club will ensure that volunteers are able to identify and respond to children at risk of harm.

Sharks Touch Club will make all volunteers aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected. (See Part E)

In addition to any legal obligation, if any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in attachment [C1] of this policy. This will explain what to do about the behaviour and how Sharks Touch Club will deal with the problem.

### **7.2 Supervision**

Members under the age of 12 must be supervised at all times by a responsible adult. Our club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 12 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

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

### **7.3 Transportation**

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

### **7.4 Taking Images of Children**

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

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

## **8. Anti-harassment, Discrimination and Bullying**

Sharks Touch Club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers.

Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

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

## **9. Intimate Relationships**

Sharks Touch club understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favoritism or exploitation.

We take the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's publicage. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.

If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.

In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:

- the relative age and social maturity of the athlete;
- any potential vulnerability of the athlete;
- any financial and/or emotional dependence of the athlete on the coach or official;
- the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- the extent of power imbalance between the athlete and coach or official; and
- the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from club officials, to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional we may take disciplinary action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from the Complaints Officer or other official.

## **10. Inclusive practices**

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

### **10.1 People with a disability**

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

### **10.2 People from diverse cultures**

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

### **10.3 Sexual & Gender Identity**

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

### **10.4 Pregnancy**

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport. Sharks Touch Club will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks.

### **10.5 Girls playing in boys teams**

If there is not a separate sex competition, our club will support girls playing in boys teams up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age our club will consider each request on an individual basis and seek advice/direction from parent associations.

## **11. Social Networking**

The club acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport. All members bound by these By-Laws are expected to conduct themselves appropriately when using social networking sites to share information related to our club. Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language;
- must not be misleading, false or injure the reputation of another person;
- should respect and maintain the privacy of others;
- should promote the sport in a positive way

If a breach of these guidelines occur individuals will be asked to remove the post and appropriate action should be taken to report the occurrence/complaint as outlined in this policy.

## **12. Responding to Complaints**

### **12.1 Complaints**

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

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

More serious complaints may be escalated to North Queensland Touch Association, Touch Football Queensland, and/or Touch Football Australia.

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

## **12.2 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. President, Complaints Officer) will:

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- maintain confidentiality but not necessarily anonymity.

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

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

In situations where a complaint is referred to the North Queensland Touch Association, Touch Football Queensland, and/or Touch Football Australia, and an investigation is conducted, the club will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on the parent association's recommendations.

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

## **12.3 Disciplinary Measures**

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

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

Possible measures that may be taken include:

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



#### **12.4 Appeals**

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

## Attachment 1.1: SCREENING REQUIREMENTS

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

Our Club will:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration* (MPD) (Attachment 1.2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to submit a Working With Children check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.

## Attachment 1.2: MEMBER PROTECTION DECLARATION

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Our club has a duty of care to all those associated with our club. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I ..... (name) of .....

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

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the State of .....

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

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

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

Name:.....

Signature:.....

Date: .....

## **Attachment 1.3: WORKING WITH CHILDREN CHECK REQUIREMENTS**

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*The following information was current as at January 2016. It is subject to change at any time.*

Since 2001, the blue card system has been a key prevention and monitoring system for people working with children which aims to minimise the risk of harm to children receiving services essential to their development and wellbeing.

The blue card check assesses:

- national criminal history, of all charges and convictions (including spent and not recorded)
- child protection prohibition orders (whether a person is a respondent or subject to an application)
- disqualification orders
- if a person is subject to reporting obligations under the Child Protection (Offender Reporting) Act 2004 or Dangerous Prisoners (Sexual Offenders) Act 2003
- disciplinary information held by certain professional organisations including teachers, child care providers and foster carers
- information that the Police Commissioner may provide in relation to police investigations into allegations of serious child-related sexual offences, even if no charges were laid.

A person whose application is approved is issued with a positive notice letter and a blue card. If a person's application is refused, they are issued with a negative notice which prohibits them from carrying on a business or providing child-related activities in the categories regulated by the Working with Children (Risk Management and Screening) Act 2000.

Blue Card Services monitors the police information of all applicants and card holders. If the information changes, Blue Card Services can take steps to immediately protect children from harm, including suspending or cancelling a card. Blue Card Services also monitors and audits service providers' compliance with blue card system obligations to ensure that appropriate safeguards are being implemented and maintained.

For more information on the blue card, including current application forms:

- <https://www.bluecard.qld.gov.au/>
- 1800 113 611

## Attachment 2: CODES OF BEHAVIOUR

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This Code of Behaviour applies to all individuals and entities involved with Sharks Touch Club; and adheres to Touch Football Australia's Code of Conduct.

The Core Code must be observed by all without exception. The role specific Supplement Codes are to be applied as additional requirements to the Core Code to be observed by individuals performing the stated tasks.

### The Core Code:

- operate within the rules, policies, regulations, by-laws and spirit of our sport, promoting fair play over winning at any cost
- encourage and support opportunities for people to learn appropriate behaviours and skills
- support opportunities for participation in all aspects of Touch Football
- treat each person as an individual
- display control and courtesy to all involved with our sport
- respect the rights and worth of every person regardless of their gender, ability, cultural background or religion
- respect the decisions of officials, coaches and administrators in the conduct of our sport
- wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years
- adopt appropriate and responsible behaviour in all interactions, including online activity
- adopt responsible behaviour in relation to alcohol and other drugs
- ensure your decisions and actions contribute to a harassment free environment
- do not tolerate harmful or abusive behaviours
- take reasonable care for his or her own health and safety, and ensure that his or her acts or omissions do not adversely affect the health and safety of others
- act in good faith in the best interests of Sharks Touch Club, act with integrity and objectivity, demonstrate accountability and take responsibility for your actions; do not engage in activities that may bring yourself or Sharks Touch Club into disrepute
- act fairly and impartially, avoid bias, discrimination, caprice or self-interest
- use information appropriately, ensure information gained as a volunteer, coach, official etc, is only applied to proper purposes and is kept confidential

### Volunteers Code

- use volunteer positions appropriately, do not use the position as an important volunteer to seek an undue advantage for yourself, family members or associates, or to cause detriment to Sharks Touch Club; ensure that volunteers decline gifts or favours that may cast doubt on your ability to apply independent judgement
- avoid real or apparent conflicts of interest
- act in a financially responsible manner
- exercise due care, diligence and skill, ascertain all relevant information, make reasonable enquiries, and understand the financial, strategic and other implications of decisions
- demonstrate leadership and stewardship, promote and support the application of Sharks Touch Club's structure and values
- comply with Sharks Touch Club's Constitution and all legislative and regulatory requirements for the position
- give your best at all times
- participate for your own enjoyment and benefit
- refrain from any behaviour that may bring Sharks Touch Club into disrepute
- exhibit exemplary sportsmanship at all times

**Coaches Code**

- place the safety and welfare of athletes above all else
- be aware of and support the sport's injury management plans and return to play guidelines
- help each person (athlete, official etc) reach their potential - respect the talent, developmental stage and goals of each person and compliment and encourage with positive and supportive feedback
- promote respect for the ability of your opponents, referees and all officials
- any physical contact with a person should be appropriate to the situation and necessary for the person's skill development
- commit to providing a quality service to your athletes
- embrace your position as a positive role model for your sport and athletes
- be honest and do not allow your qualifications to be misrepresented
- obtain appropriate qualifications and keep up-to-date with the latest coaching practices and the principles of growth and development of participants

**Officials Code**

- place the safety and welfare of the athletes above all else
- commit to providing a quality service to participants
- consistent and impartial when making decisions
- address unsporting behaviour and promote respect for all people
- avoid any situation which may lead to a conflict in interest
- obtain appropriate qualifications and keep up-to-date with the latest refereeing practices and the principles of growth and development of participants

**Administrators Code**

- act honestly, in good faith and in the best interests of the sport as a whole
- ensure that any information acquired or advantage gained from the position is not used improperly
- conduct your responsibilities with due care, competence and diligence
- do not allow prejudice, conflict of interest or bias to affect your objectivity

**Parents Code**

- encourage children to participate and have fun
- provide a model of good sportsmanship for your child to copy
- focus on the child's effort and performance rather than winning or losing
- never ridicule or yell at a child for making a mistake or losing a competition

**Spectators Code**

- respect the performances and efforts of all people
- reject the use of violence in any form, whether it is by spectators, coaches, officials or athletes



<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination</p> <p><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation</p> <p><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision</p> <p><input type="checkbox"/> Other .....</p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	