

2019

HOCKEY AUSTRALIA LIMITED (HA)

MEMBER PROTECTION POLICY

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Review History of Hockey Australia Member Protection Policy

Version	Date reviewed	Date endorsed	Content reviewed/purpose
1	May 2004	May 2004	
2	August 2005		
3	October 2005		
4	July 2006		
5	January 2008		
6	August 2009		
7	January 2012	February 2012	Addition of smoking, alcohol, cyber bullying and social networking position statements
8	February 2014	2014	Minor editing throughout; working with children check requirements updated
9	September 2015	October 2015	Compliance with ASC revisions V8; HA updates as required including: Amendments - C1 1, 2, 3, 6. 1.3, 6.1.6, 6.2, 6.3, 6.4, 6.6, 6.7, 6.8, 6.8, 6.9, 8, 9.1.11, 9.2, 10 (Dictionary), Part B1, B2, B4, B5, B6, B7, Part C, C1 (formerly C2), C2 (formerly C3), Part D, D1, D2, D3, D4, D5 Additions - 6.6.3, Part C3, Deletions - C1 States with no WWCC

Preface

Hockey Australia Limited is committed to the health, safety and general wellbeing of all its members and participants. The organisation is dedicated to providing a safe and prosperous environment for members and providers participating in all Australian hockey activities, and through this Policy we aim to ensure that everyone involved in Hockey is aware of his or her rights and responsibilities. This Policy also provides the procedures that support our commitment to preventing and eliminating discrimination, harassment, child abuse or other forms of inappropriate behaviour.

As Australians we greatly value the importance of sport in our culture and our community, and we all have the right to enjoy our sport at whichever level we participate. As a sport we are proud to lead the way in ensuring safe and harassment free sport for all of our participants, competitors, coaches, officials, administrators, volunteers and supporters.

This Policy was endorsed by the HA Board of Directors on 2 December 2015 and is affective from that date and will operate until replaced.

I commend this Member Protection Policy to you and encourage all involved to ensure that hockey is a sport that is enjoyed by all.

David Hatt
President
Hockey Australia Ltd



Part A: Hockey Australia Member Protection Policy

1. Introduction

Hockey Australia (HA) is the governing body of hockey in Australia. HA is committed to participation in all aspects of the sport of hockey and conducts, encourages, promotes, advances, controls and manages all levels of Hockey in Australia. The four key Values by which HA operates, and the HA Vision are captured in the HA Strategic Plan 2014–2018, below.



AUSTRALIA'S WINNING EDGE 2014-2018

VALUES

LEADERSHIP	INTEGRITY
EXCELLENCE	INCLUSION

VISION

Successful National Teams
Revenue Growth
Participation Growth
Governing Whole of Sport

2. Purpose of this Policy

This Hockey Australia (HA) Member Protection Policy (“policy”) will work towards maintaining ethical and informed decision-making and responsible behaviours within our sport. It outlines our commitment to a person’s right to be treated with respect and dignity, and to be safe and protected from abuse and other forms of inappropriate behaviour. This policy informs everyone involved in our sport nationally, of his or her legal and ethical rights and responsibilities, and the standards of behaviour that are required. HA will take disciplinary action against any person or organisation bound by this policy if they breach it.

This Policy’s attachments include the practical steps that HA will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport.

This policy has been endorsed by the HA Board of Directors and the policy commences on 2 December 2015 and will operate until replaced. Copies of the current policy and its attachments can be obtained from the HA website at www.hockey.org.au or by contacting the HA National Office:



Level 5
409 St Kilda Road
Melbourne, VIC 3004
Ph - 03 9947 9900

For information on the rights, responsibilities and requirements for people involved in our sport at the state and club level, please refer to the member protection policies of the relevant state association or club.

3. Who this Policy applies to

This policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity of HA, as follows:

- a. Persons appointed or elected to HA boards, committee/s, sub-committee/s or advisory panel/s;
- b. Employees of HA;
- c. Members of the HA Executive;
- d. Support personnel appointed or elected to national teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- e. National coaches and assistant coaches;
- f. National representative athletes;
- g. National umpires and other officials involved in the regulation of the sport;
- h. Members, including life members of HA;
- i. Athletes, coaches, officials and other personnel participating in events, competitions and activities, including camps and training sessions, held or sanctioned by HA;
- j. Any other person including spectators, parents/guardians and sponsors, who agree in writing (whether on a ticket, entry form or otherwise) to be bound by this policy.

This policy also applies to the following Members, as also defined in the Dictionary:

- k. Member Associations, their boards, committee/s, sub-committee/s or advisory panel/s;
- l. Affiliated Associations, Affiliated clubs and associated organisations, their boards, committee/s, sub-committee/s or advisory panel/s.

Member Associations are required to adopt and implement this policy and to provide proof to HA of the approval of the policy by the relevant board in accordance with its constitution. Member associations must also undertake to ensure that affiliated Clubs and individual Members are bound by this policy and are made aware of this policy and what it says.

This policy will continue to apply to a person even after they have stopped their association or employment with HA, if disciplinary action against that person has commenced.

Employees of a Member(s) are required to act in accordance with their employment contracts, awards and associated employment policies. Where a person listed in clauses 3.a to 3.j inclusive is also an employee of a Member(s), the employer of that person has sole discretion to determine in the first instance if the employment contract, award or policy is relevant and appropriate to the action or behavior involved, and if so, may process or determine the matter in accordance with such material, or may choose to adopt part or all of this Policy. The employer may consult with the HA MPIO as necessary.



4. Responsibilities of the Organisation

HA and Member/s, must:

- a. Adopt, implement and comply with this policy;
- b. Make such amendments to its/their Constitution, Rules or Policies necessary for this policy to be enforceable;
- c. Publish, distribute and promote this policy and the consequences of breaches;
- d. Promote and model appropriate standards of behaviour at all times;
- e. Deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- f. Apply this policy consistently;
- g. Recognise and enforce any penalty imposed under this policy;
- h. Ensure that a copy of this policy is available or accessible to the persons and organisations to whom this policy applies;
- i. Use appropriately trained people to receive and manage complaints and allegations e.g. Member Protection Information Officers (MPIOs);
- j. Monitor and review this policy, where possible, at least annually.

5. Individual Responsibilities

Individuals bound by this policy are responsible for:

- a. Making themselves aware of the policy and comply with its standards and codes of behaviour;
- b. Consenting to our screening requirements and any state and territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18;
- c. Placing the safety and welfare of children above other considerations and where required by law;
- d. Being accountable for their behaviour;
- e. Following the steps 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
- f. Complying with any decisions and/or disciplinary measures imposed under this policy.

6. Position Statements

a. **Child Protection**

HA is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained. We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

HA will take the following measures to protect the safety and welfare of children participating in our sport.

- Identify and Analyse Risk of Harm

HA will develop and implement a risk management strategy including a review of existing child protection practices, to determine how child-safe our organisation



is and to identify any additional steps to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

- **Develop Codes of Behaviour for Adults and Children**

HA will ensure our organisation has Codes of Behaviour that specify standards of conduct and care when dealing and interacting with children involved in hockey, especially those in our care. These codes of behaviour will set out professional boundaries, ethical behaviour and unacceptable behaviour. We will also implement a code of behaviour to promote appropriate behaviour between children. (See Part B).

- **Choose Suitable Employees and Volunteers**

HA will take all reasonable steps to ensure that it engages suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This will include using a range of screening measures. These measures aim to minimize the likelihood of engaging or retaining people who are unsuitable to work with children.

We will ensure that Working with Children Checks and criminal history assessments are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements. (See Part C).

- **Support, Train, Supervise and Enhance Performance**

HA will develop and implement support and training for employees, and work towards training for volunteers under HA's direct control, who work with children. Our goal is develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment.

- **Empower and Promote the Participation of Children in Decision-Making and Service Development**

HA will encourage children and young people to be involved in developing and maintaining child-safe environments in hockey.

- **Report and Respond Appropriately To Suspected Abuse and Neglect**

HA will ensure that employees, and with volunteers under HA's direct control, are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected.

In addition to any legal obligation, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint. (See Part E).

All allegations of child abuse will be treated promptly, seriously, sensitively and confidentially. HA will not condone a person being victimised or otherwise adversely treated for reporting an/any allegation of suspected child abuse. The privacy of all persons concerned will be respected. HA procedures for handling allegations of child abuse are outlined in this Policy under D4.

b. Taking Images of Children



Images of children can be used inappropriately or illegally. HA 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.

To respect people's privacy we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are directly used in connection with our sport.

When using an image of a child, HA will avoid naming or identifying the child or publishing personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not provide information about a child's hobbies, interests, school or the like as this information can be used by pedophiles or other persons to 'groom' children.

We will only use images of children that are relevant to our sport and ensure that they are suitably clothed in a manner that promotes participation in our sport. We will seek permission from the parents/guardians of the children before using these images. We require those that are bound by this Policy, our member associations and clubs, to do likewise.

c. **Anti-Discrimination and Harassment**

HA aims to provide an environment where all those involved in our activities and events are treated with respect. We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

Any person who believes they are being or have been harassed, bullying or discriminated against by another person or organization bound by this policy is encouraged to raise their concerns with HA. A person may make an internal complaint and in some circumstances they may also be able to make a complaint to an external organization. (See Part D).

- **Discrimination**

Discrimination can be either direct or indirect:

Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected characteristic unfavorably because of that personal characteristic.

Indirect discrimination occurs if a person imposes or proposes to impose a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant. Refer to the Dictionary (S10) for further clarification.

- **Harassment**

The offending behaviours do not have to take place a number of times, a single incident can constitute harassment. Refer to the Dictionary (See S10) for further details.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.



- Prohibition against discrimination and harassment

HA prohibits all forms of harassment and discrimination based on the personal characteristics listed in the Dictionary (see S10).

d. **Intimate Relationships**

HA 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 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 they do not engage in sexual harassment, bullying, favouritism or exploitation.

HA takes the position that consensual intimate or sexual relationships between coaches and the adult athletes that they coach, should be avoided as these relationships can have harmful effects on the individual athlete involved, on other athletes and coaches, and hockey's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach and the athlete.

If an athlete attempts to initiate an intimate or sexual relationship with a coach, it is the coach's responsibility to discourage the approaches and to explain why such a relationship is not appropriate.

If an intimate or sexual relationship does exist or develop between an adult athlete and 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 or sexual relationship between a coach or official and 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 the MPIO to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If we determine that the intimate or sexual relationship is inappropriate or unprofessional, HA may undertake to stop the relationship with the athlete through options such as, a



transfer, a request for resignation or dismissal from appointed 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 MPIO. For the HA Complaints Procedure refer to Part D.

e. **Pregnancy**

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

HA 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 well-being, and that of their unborn children are of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. We will only require pregnant women to sign a disclaimer if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman feels she has been harassed or discriminated against by another person or organisation bound by this Policy she may make a complaint. (See Part D).

f. **Gender Identity¹**

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include transgender and gender diverse.

- **Gender identity discrimination and harassment**

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. Refer to the definition in the Dictionary (See S10).

HA is committed to providing a safe, fair and inclusive sporting environment where people of all backgrounds can contribute and participate. People who identify as transgender or transsexual or are assumed to be transgender or transsexual, should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition or affirmation.

We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual. If a transgender or transsexual person feels he or she are or have been harassed or discriminated against by another person or organisation bound by this

¹ Content relating to Gender Identity has been guided by advice from the Australian Sports Commission and from the Victorian Human Rights Commission - Guideline: Transgender People and Sport (2015).



policy, he or she may make a complaint. For the HA Complaints Procedure refer to Part D.

- Participation in sport

HA recognises that excluding transgender and transsexual people from participating in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, we will support their participation in our sport on the basis of the gender with which they identify, and will facilitate this right if required.

We also recognise that there is debate over whether a male-to-female transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, HA will seek advice on the application of those laws in the particular circumstances.

HA is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an elite level, we will encourage them to obtain advice about the IOC's criteria, which may differ from the position we have taken.

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.

- Intersex status

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person on the basis of their intersex status. See the Dictionary (See S10) for further clarification.

HA is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

g. **Alcohol**

HA is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that Members also follow state legislative requirements and strict guidelines regarding the service and consumption of alcohol. In general, our policy is that:

- Alcohol should not be available or consumed at sporting events involving children and young people under the age of 18
- Alcohol-free social events will be provided for young people and families
- Food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served
- At events held or endorsed by HA where alcohol is served, to ensure appropriate practices are followed a senior staff member will be present.
- Safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.
- HA recommends that at events held or endorsed by a Member(s) where alcohol is



served to ensure appropriate practices are followed, a committee/board member or the licensee (if applicable) should be present.

Further information and guidance for Members is available via the following resource links:

- http://www.ausport.gov.au/supporting/clubs/resource_library/club_management/liquor_licensing
- <http://goodsports.com.au/resources/articles/sample-policies/#read>

h. **Smoking**

HA requires that the following be applied to sporting and social events that we hold or endorse:

- 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, volunteers and parents
- Social functions shall be smoke free, with smoking only permitted at designated outdoor smoking areas
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while they are involved in an official capacity in our sport both on and off the field.

HA recommends that all organisations bound by this policy must adhere to the relevant legislation and their respective state and local government regulations in relation to smoking restrictions.

i. **Bullying, Cyberbullying and Cyberstalking**

HA is committed to providing an environment that is free from bullying and regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress, and has the potential to result in significant negative health and well-being consequences to the person targeted by hurtful or derogatory comments or statements.

Most of us are passionate about our sport and in some instances bullying, perceived or actual, may occur out of frustration. Frustration at a teammate, coach, official, volunteer or sporting body should never be communicated on social networking websites. These issues should instead be addressed in a written or verbal statement or a complaint to the relevant controlling Association, club or peak sporting body.

HA will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

- **Bullying**

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group. Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- Verbal abuse including shouting, swearing, teasing, making belittling remarks



or persistent unjustified criticism;

- Excluding or isolating a group or person;
- Spreading malicious rumors; or
- Psychological harassment such as intimidation.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. For the HA Complaints Procedure refer to Part D of this policy.

- Cyberbullying

HA is committed to providing a safe sporting environment. We will not tolerate Cyberbullying of or towards any staff, athlete, official, volunteer, individual member or member organization within the sport of Hockey in Australia. If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. For the HA Complaints Procedure refer to Part D of this policy.

New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. Sometimes it's hard for adults to see the cyberbullying online, especially if it happens in games or through chat or private messages or texts.

Cyberbullying is the use of technology to bully an individual or a group with the intent to cause harm. The intended harm may be social, psychological and, in extreme cases, physical. Cyberbullying can cause fear, withdrawal, shame, guilt, loneliness, depression or worse. While cyberbullying is similar to real life bullying, it also differs in the following ways:

- It can be difficult to escape and is invasive as it can occur 24/7 and a person can be targeted almost anywhere;
- It can involve harmful material being widely and rapidly disseminated to a large audience, for example, rumours and images can be posted on public forums or sent to many people at the 'press of a button';
- It can provide the bully with a sense of relative anonymity and distance from the victim so there is a lack of immediate feedback or consequences.

Cyberbullying can occur in a number of ways, including:

- Abusive texts and emails;
- Hurtful messages, images or videos;
- Imitating others online;
- Excluding others online;
- Nasty online gossip and chat;
- Via Instant messaging (IM), social networking sites, blogs, gaming sites or;
- Via other technologies.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, are likely considered cyberbullying:

- Teasing and making fun of others;
- Spreading rumours online;



- Commenting on posts, images or videos that will hurt others;
 - Being part of / contributing to negative groups and conversations;
 - Sending unwanted messages, and;
 - Defamation.
- Cyberstalking

Cyberstalking describes when a person is stalked or harassed by another person using a service of the internet such as email, instant messaging or via a posting in a discussion group. Stalking behaviours can include threats, cryptic messages and sexual innuendo that occur in a frequent and intrusive manner. The usual goal for stalking is to create a sense of fear in the recipient and the motivation is based on control and intimidation.

What activities can I report?

Under certain circumstances (such as harassment and making threats) cyber bullying is a criminal activity and illegal. If you feel your immediate safety is at risk, contact '000' in an emergency situation or your local police. You can report to the authorities any personal threat that you consider to be stalking. Personal threats are considered as an assault, even when no physical contact has been made.

If you're a parent, what can you do about cyber bullying?

- Discuss the incident with your child; assure them that you can help even if you know less about mobiles and tablets than they do!
- Help your child implement strategies to minimize the harassment.
- Make your child's school or club aware of the problem. Most schools have a policy on the use of mobile phones and tablets.
- Share your experiences with other parents, and raise concerns through your child's school, sporting club or other community groups in which they're involved.
- Seek help

For further clarification on the definitions refer to the Dictionary (See S10).

If you are being Cyberbullied there is support information available, including action strategies outside of HA procedures, via the following Commonwealth Government website, from The Office of the Children's eSafety Commissioner:

<https://esafety.gov.au/esafety-information/esafety-issues/cyberbullying>

j. Social Networking

HA acknowledges the enormous value of Social Media platforms in promoting and celebrating the achievements and success of the people involved in hockey.

When using the Internet for professional or personal pursuits, all members must respect the HA brand, the sport of hockey in Australia and follow this Policy to ensure HA's intellectual property and its relationships with sponsors and stakeholders is not compromised, or that the organisation is not brought into disrepute.

Social Media Platforms & networking sites includes, but are not limited to:

- Social networking sites such as Facebook, LinkedIn and MySpace;
- Video and photo sharing websites including Instagram, Flickr, Snapchat and



YouTube;

- Micro-blogging sites such as Twitter;
- Weblogs, including personal blogs or blogs hosted by traditional media publications;
- Forums and discussion boards;
- Online encyclopaedias such as Wikipedia, and;
- Any other website that allows individual users or organisations to use simple publishing tools.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport. Social media postings, blogs, status updates, tweets and/or text messages:

- Must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- Must not be misleading, false or injure the reputation of another person;
- Must not contain material which is in breach of laws, court orders, undertakings or contracts;
- Should respect and maintain the privacy of others;
- Should promote the sport in a positive way.

Due to the immediate nature of this type of communication via mediums such as Facebook, Twitter and SMS and how easily communications can be misunderstood or abused, HA recommends caution be used to avoid inappropriate use, whether unintentional or due to failure to fully understand the ramifications. Please consider refraining from and avoiding:

- Including personal information about yourself or others in posts or text messages;
- Publishing something that makes you the slightest bit uncomfortable- use your best judgement and never write/publish if you are feeling emotional, upset or intoxicated;
- Posting someone else's picture on social network forums unless you have their permission;
- Commenting on rumours- do not deny or affirm them or speculate about rumours;

7. Complaints Procedures

a. **Complaint Handling**

HA aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of natural justice. Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been harassed, bullied or discriminated against or there has been a possible breach of this policy. In the first instance complaints should be reported to HA's CEO or delegated nominee.

The lowest level at which a matter can be dealt with shall always be preferred. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- State level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance; or
- Club level or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.



Only matters that relate to or which occurred at the national level, as well as serious cases referred from club or state level, should be dealt with by HA.

A complaint may be handled informally or formally. The complainant will usually indicate his/her preferred option unless the CEO, delegated nominee or MPIO of HA considers that the complaint falls outside this policy and should be handled another way. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures for handling and resolving complaints are outlined in Attachment D1.

Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

b. Improper Complaints & Victimisation

HA aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person's complaint. If at any point in the complaint handling process the MPIO considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or intended to cause distress to the respondent, the matter may be referred to the Tribunal for review and appropriate action, including possible disciplinary action against the complainant.

c. Mediation

HA aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint, and be initiated by either the HA MPIO or at the Complainant's request.

If a Complainant wishes to resolve the complaint with the help of a mediator, the MPIO will, in consultation with the complainant, arrange for an independent mediator where possible. We will allow lawyers to negotiate on behalf of the Complainant and/or the Respondent.

More information on the mediation process is outlined in Attachment D2.

d. Tribunal

A Tribunal may be convened to hear a formal complaint:

- Referred to it by the CEO, delegated nominee or MPIO;
- Referred to it or escalated by a Member/s because of the serious nature of the complaint, because it was unable to be resolved at the state level, or because the state policy directs it to be;
- For an alleged breach of this policy.

Our Tribunal procedure is outlined in attachment D5.

A Respondent may only lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved.



Our appeals process is outlined in attachment D5.

Every organization and individual bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

8. What is a Breach of this policy

An alleged breach of this policy may relate to conduct/alleged conduct occurring in the course of a Hockey Australia match, event or tournament conducted by Hockey Australia or a Member/s. Additionally an alleged breach of this policy may not relate to conduct/alleged conduct occurring in the course of a match, event or tournament.

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

- a. A break, violation or failure to follow HA policies;
- b. Breaching the, or any part of, the Codes of Behaviour (Attachment B);
- c. Bringing into disrepute or acting in a manner that is likely to be prejudicial to the interest of or likely bring disrepute to HA, or a Member/s;
- d. Failing to follow the HA policy and procedures for the protection, safety and welfare of children, including:
 - Appointing, or continuing to appoint a person found to be unsuitable to work with children or young people according to this policy or the relevant Federal or State law;
 - Where the person is a Prohibited Person, to work or seek work in the roles that would bring them into ongoing contact with children or young persons;
 - Where the person is a Prohibited Person, to knowingly declare otherwise to HA
- e. Discriminating against, harassing or bullying (including cyber bullying) any person;
- f. Victimising another person for making or supporting a complaint;
- g. Engaging in an intimate or sexually inappropriate relationship with a person that he or she supervises, or has influence, authority or power over;
- h. Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- i. Disclosing to any unauthorised person or organisation any HA information that is of a private, confidential or privileged nature;
- j. Making a complaint that they knew to be untrue, vexatious, malicious or improper;
- k. Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
- l. Failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary Measures

HA may impose disciplinary measures on an individual or organisation for a breach of this policy. Any disciplinary measure imposed will be:

- Fair and reasonable
- Applied consistently with any contractual and employment rules and requirements
- Be based on the evidence and information presented and the seriousness of the breach



- Be determined in accordance with our Constitution, By-laws, this policy and/or the rules of the sport.

a. **Individual**

Subject to contractual and employment requirements, if a finding is made by an Investigation or Tribunal that an individual has breached this policy, one or more of the following forms of discipline may be imposed via the HA MPIO:

- A direction that the individual make a verbal and/or written apology;
- A written warning;
- A direction that the individual attend counselling to address their behaviour;
- A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by HA;
- A demotion or transfer of the individual to another location, role or activity;
- A suspension of the individual's membership or participation or engagement in a role or activity;
- Termination of the individual's membership, appointment or engagement;
- A recommendation that HA terminate the individual's membership, appointment or engagement;
- In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- A fine;
- Any other form of discipline that HA considers appropriate, as determined by any of the MPIO, the Hearing Tribunal or the HA CEO if the matter requires escalation.

b. **Organisation**

If a finding is made that HA or a Member has breached its' own or the HA Member Protection Policy, one or more of the following\ forms of discipline may be imposed by the MPIO, HA CEO or HA Board of Directors upon advice from an Investigator or the Hearing Tribunal:

- A written warning;
- A fine;
- A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association is suspended for a specified period;
- A direction that any funding granted or given to it by HA or a peak association ceases from a specified date;
- A direction that HA and peak associations cease to sanction events held by or under the auspices of that organization;
- A recommendation to HA and/or the state/affiliated association that its membership of HA or peak association be suspended or terminated in accordance with the relevant constitution or rules;
- A direction that the organisation seeks appropriate guidance and/or training to address their behaviour and where relevant or directed, amend policies, procedures or other;
- Any other form of discipline that Hockey Australia considers to be reasonable and appropriate.



c. **Factors to consider**

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

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action;
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy);
- Any other mitigating circumstances.

10. 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. Further detail or definitions relating to Child Protection matters for specific states and territories, can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

Abuse is the violation of an individual's human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse, systemic abuse, neglect or abuse of power. **Abusive (behavior)** includes: bullying and humiliation by others, insults directed at an individual or group, physical intimidation and practical jokes, which cause embarrassment or which endanger the safety of others.

Affiliated Association means an association, usually a rural association, affiliated with a Member (state) Association.

Affiliated club or associated organization means a club and any related/associated organisation affiliated with an affiliated association or Member (state) Association.

ASADA is the Australian Sports Anti-Doping Authority.

Athlete means a hockey player whether recreational or competitive and who is an individual member of Hockey Australia, a Member (Association, Affiliated Association or Affiliated Club).

Child means a person who is under the age of 18 years

Child abuse involves conduct which puts children at risk of harm, usually by adults and often by those they know and trust. It can take many forms including verbal and physical actions. It may include:

- Physical abuse which occurs when a child has suffered, or is at risk of suffering non-accidental physical trauma or injury. This may include, but not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- Sexual abuse which occurs when an adult or other child or adolescent uses their power or authority to involve a child in a sexual activity or 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 which occurs when a child's social, emotional, cognitive or intellectual



development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing, bullying, humiliation, taunting, sarcasm, yelling, name calling, or placing unrealistic expectations on a child.

- Neglect which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter or adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

CEO means the Chief Executive Officer of Hockey Australia or of a Member (state) Association, Affiliated Association or equivalent in an Affiliated Club. Where any of the former has no executive officer, CEO then means the President of the organization.

Complaint means a complaint made under clause 7.1.

Complainant means a person making a complaint.

Complaint Handler/Manager means a person appointed under this policy to investigate a Complaint, in the first instance being the HA MPIO.

Cyberbullying involves the use of information and communication technologies to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm others.

Cyberstalking means when a person is stalked or harassed by another person using a service of the internet such as email, instant messaging or via a posting in a discussion group.

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favorably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws.

In Australia it is against the law to discriminate against someone because of their:

- Age
- Sex or gender
- Gender identity
- Intersex status
- Race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration
- Disability, mental and physical impairment
- Family/carer responsibilities, status as a parent or carer
- Marital status
- Pregnancy, potential pregnancy, breastfeeding
- Sexual orientation
- Physical features
- Irrelevant medical record
- Irrelevant criminal record, spent convictions
- Political beliefs or activities



- Religion, religious beliefs or activities
- National extraction or social origin
- Lawful sexual activity
- Profession, trade, occupation or calling
- Member of association or organisation of employees or employers, industrial activity, trade union activity
- Defense service
- Personal association with someone who has, or is assumed to have, any of the above characteristics

Examples of discrimination include:

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

- **Breastfeeding:** A member of the club who is breastfeeding a baby in the club rooms is asked to leave.
- **Disability:** A player is overlooked for team selection because of mild epilepsy.
- **Family responsibilities:** A club decides not to promote an employee because she has a child with a disability even though the employee is the best person for the job.
- **Gender Identity:** A Transgender player is harassed when other players refuse to call her by her female name.
- **Homosexuality:** An athlete is ostracised from his team after it becomes known that he is homosexual.
- **Marital Status:** A player is deliberately excluded from team activities and social functions because she is single
- **Pregnancy:** A woman is dropped from a squad when she becomes pregnant.
- **Race:** An Italian Umpire is not permitted to Umpire games with a high proportion of Italian players on one team because of his race.
- **Sex:** Specialist coaching is only offered to male players in a mixed team.

Some exceptions to state, territory and federal anti-discrimination law apply, including exceptions for sporting activities such as:

- Holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- Excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- 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 particular sporting activity.



Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law. For further information and links to relevant organisations and current legislation please go to:

http://www.ausport.gov.au/supporting/clubs/resource_library/managing_risks/anti-discrimination

Disrepute means the state of being held in low esteem by the public. A member or individual may be considered to have brought HA or the sport of hockey in Australia into 'disrepute' if any of the following occurs, or is undertaken by them, as follows:

- a. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of an attribute;
- b. Harassment, including sexual harassment or any unwelcome sexual conduct which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
- c. Offensive behaviour, including offensive, obscene, provocative or insulting gestures, language or chanting;
- d. Provocation or incitement of hatred or violence;
- e. Spectator or crowd violence;
- f. Intimidation of Match Officials, which may take the form of (but is not restricted to) derogatory or abusive words or gestures toward a Match Official or the use of violence or threats to pressure a Match Official to take or omit to take certain action regardless of where such action is taken;
- g. Corruption, including offering a benefit or an advantage to a Player or an Official in an attempt to incite him or her to violate Australian laws, including the national legislation on Match Fixing in Sport;
- h. Abuse of position to obtain personal benefit;
- i. Commission or charge of a criminal offence; or
- j. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of HA or hockey in Australia generally.

Existing appointee means a staff member or existing volunteer or Official of HA.

Gender diversity refers to a diverse range of different gender expressions and identities.

Gender identity: The term 'gender identity' refers to a person's deeply held internal and individual sense of gender.

With respect to the Gender Identity terms referred to within this Policy, HA acknowledges the complexities of language and identity in this area and recognises the terms we use are not necessarily applicable to everyone. We know that the term 'transgender' encompasses a broad range of people whose gender identity is different from their sex as recorded at birth and that some people may not identify with this term. In particular, some people, particularly younger people, may prefer the term 'gender diverse'. We also know that some people prefer the term 'gender transition', while others prefer the term 'gender affirmation'.

HA acknowledges and respects an individual's right to identify and describe their gender identity as they choose.

Gender expression: The term 'gender expression' refers to the way in which a person externally expresses their gender or how they are perceived by others.



Harassment is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed. Unlawful harassment can be based on any of the personal characteristics covered by anti-discrimination law, such as a person's race, sex, pregnancy, marital status or sexual orientation (see the list under "Discrimination").

Public acts of racial hatred which are reasonably likely 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 people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also "Vilification").

It does not matter whether the harassment was intended: the focus is on the impact of the behavior. The basic rule is if someone else finds it harassing then it could be harassment.

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

HA is Hockey Australia, the governing body for hockey in Australia.

Intersex: The term 'intersex' refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.

Junior means any person who is a member of HA or a Member under the age of 18.

Mediator means an impartial person appointed to help those people involved in a complaint to talk through the issues and resolve the matter on mutually agreeable terms.

Member means a financial member of HA, a Member (State) Association and/or their board, committee/s, sub-committee/s or advisory panel/s, Affiliated Association and/or Affiliated Club or Associated Organisation, or board, sub-committee or advisory panel. It also applies to associated person (s) who takes on some form of duty on behalf of HA, or individuals.

Member Protection Information Officer (MPIO) is the first point of contact for a person reporting a complaint under, or a breach of, this Policy. The MPIO provides impartial and confidential support to the person making the complaint.

Each Member (state) Association should have an MPIO.

Natural justice (or procedural fairness) requires that:

- Both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- All relevant submissions must be considered;
- Irrelevant matters should not be taken into account.
- No person may judge their own case;
- The decision maker/s must be unbiased, fair and just;
- The penalties imposed must be fair.

Official(s) means/includes Umpires, Judges, Technical Officers, Tournament Directors and other related tournament officials.

Player - see Athlete



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

Policy means this Member Protection Policy.

Preferred appointee means a prospective staff member or prospective volunteer or Official of HA.

Prohibited Person means a person who has been convicted of a Serious Sex Offence or other criminal offence.

Respondent means the person whose behaviour is the subject of the complaint.

Role-specific codes of conduct (or behaviour) means standards of conduct required of people holding certain roles in our sport (e.g. coaches).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which could reasonably be anticipated to make 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 is a criminal offence involving sexual activity or acts of indecency. Due to differences under state and territory legislation this can include but is not limited to:

- 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

Sexual offences continued:



- Possession of child pornography
- Publishing child pornography and indecent articles.

Sexual orientation: The term ‘sexual orientation’ refers to a person’s emotional or sexual attraction to another person, including, amongst others, the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.

Sexual orientation is different to a person’s sex or gender identity.

State/Territory Association (SA) is the peak hockey body in each state or territory affiliated with HA. Also known as ‘Member’. Refer to the definition of ‘Member’.

Transgender is an umbrella term that refers to a person whose gender identity is different to their physical sex as recorded at birth. Transitioning refers to the process where a transgender person commences living as a member of another sex. This is sometimes referred to as the person ‘affirming’ their gender because transitioning means they start living in what they identify as their true gender. For people who are transitioning/affirming their gender, having their identity fully recognised in all areas of life is a crucial part of the experience of living as their affirmed gender.

Sexual orientation is different to a person’s sex or gender identity. Some transgender people may encounter difficulties or experience discrimination because of myths and misconceptions about the correlation between their gender identity and their sexual orientation.

Transsexual is a term that is sometimes used to describe a person who is taking steps or has taken steps to align their physical sex to their gender identity.

Vexatious means an action or the bringer of an action that is brought without sufficient grounds, purely to cause annoyance to the defendant, i.e. “a frivolous or vexatious litigant”.

Victimisation means subjecting a person or threatening to subject a person to any unfair treatment because that person has or intends to pursue their right to make any complaint including 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 an organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of people having any of the characteristics listed under the definition of “Discrimination”.

Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

WADA is the World Sports Anti-Doping Authority.

Working with Children Check or WWCC means the relevant process for assessing or re-assessing whether a person is suitable to work in child-related work in a particular state or territory.

World Anti-Doping Agency’s Prohibited List means the list published by the World Anti-Doping Agency. It identifies substances and methods prohibited in competition, out of competition and in particular sports.

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



Part B: Codes of Behaviour

HA seeks to provide a safe, fair and inclusive environment for everyone involved in our organization and sport. To achieve this we require certain standards of behaviour by athletes, coaches, officials, administrators, parents/guardians of child participants and spectators.

- Our codes of behaviour are underpinned by the following:
- To act within the rules and spirit of our sport;
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment;
- To prioritise the safety and well-being of children and young people involved in our sport;
- To encourage and support opportunities for participation in all aspects of our sport.

Attachments

- Attachment B1: Coaches/Managers/Team Officials Code of Behaviour
- Attachment B2: Officials Code of Behaviour
- Attachment B3: Player/Athlete Code of Behaviour
- Attachment B4: Administrator Code of Behaviour
- Attachment B5: Board Member Code of Behaviour
- Attachment B6: Parent/Guardian Code of Behaviour
- Attachment B7: Spectator Code of Behaviour
- Attachment B8: Media Code of Behaviour

1. Coaches/ Managers/ Team Officials Code of Behaviour

As a coach, manager or team official selected to represent HA or as/with a Member² in an event that is conducted or sanctioned by HA or a member, you must meet the following requirements with regard to your conduct as follows:

- Treat all players with respect at all times.
- Do not tolerate acts of aggression.
- Make a commitment to providing a quality service to your players. Provide a training program which is planned and sequential. Maintain or improve your current NCAS accreditation, seek continual improvement through performance appraisal and ongoing coach education and be open to other people's opinions. Provide a safe environment for training and competition.
- Provide feedback to players and other participants in a manner sensitive to their needs. Avoid overly negative feedback and enforce that coming first is not always the priority.
- Recognise players' rights to consult with other coaches and advisers. Cooperate fully with other specialists (for example, sports scientists, doctors and physiotherapists). Place the safety and

² As per the Dictionary, this means a State Association, Affiliated Association and/or Affiliated Club.



welfare of the players above all else. Be courteous, respectful and open to discussion and interaction.

- Treat all players fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions.
- Determine, in consultation with the player, what information is confidential and respect that confidentiality.
- Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
- Involve the players in decisions that affect them.
- Encourage players to respect one another and to expect respect for their worth as individuals regardless of their level of play.
- Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the players. Recognise individual differences in players and cater to these as best you can.
- Ensure any physical contact with players is appropriate to the situation and necessary for the player's skill development.
- Be acutely aware of the power that you as a coach develop with your players in the coaching relationship and avoid any sexual intimacy with players that could develop as a result.
- Avoid situations with your players that could be construed as compromising.
- Avoid situations that may lead to a conflict of interest.
- Adhere to the HA Anti-Doping Policy.
- Actively discourage the use of performance enhancing drugs, and the use of illegal substances.
- Actively discourage the regular use of alcohol and tobacco.
- Abide by the relevant Child Protection Requirements and Legislation in the State you perform your duties.
- Do not exploit any coaching relationship to further personal, political or business interests at the expense of the best interest of your players.
- Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules, and behave in a sportsmanlike manner at all times to other coaches, officials, players and spectators.
- Refrain from using obscene, offensive or insulting language and/or making obscene gestures which may insult players, officials or spectators, or any detrimental statements about Officials' performance or decisions.
- Know and abide by rules, regulations and standards, and encourage players to do likewise. Accept both the letter and the spirit of the rules.
- During a Tournament, the Tournament Director and/or HA Competitions & Events staff are responsible for ensuring that the Code of Behaviour is met at all times.



2. Official Code of Behaviour

As an Official of HA or as/with a Member³ you are required to comply with this policy. You must meet the following requirements in regard to your conduct during any activity held or sanctioned by HA or as/with a Member and in your role as an Official held HA or as/with a Member:

- Treat all players with respect at all times.
- Accept responsibility for all actions taken. Exercise reasonable care to prevent injury by ensuring players play within the rules.
- Umpires: maintain consistency and impartiality when making decisions.
- Be impartial and maintain integrity in your relationship with other officials, players and coaches.
- Avoid situations that may lead to a conflict of interest.
- Not be in a position of individual and unsupervised contact with players under 18 years of age.
- Be courteous, respectful and open to discussion and interaction.
- Be a positive role model in behaviour and personal appearance by maintaining the highest standards of personal conduct and projecting a favourable image of hockey and officiating at all times.
- Refrain from any personal abuse towards players.
- Show concern and caution towards ill and injured athletes. Enforce the blood rule and apply procedures regarding ill or injured players according to the rules.
- Abstain from the use of tobacco and the consumption of alcoholic beverages when officiating or whilst in uniform.
- Adhere to the Anti-Doping Policy advocated by HA.
- Make no public comments or media announcements without prior approval from your Tournament Director or Umpire's Manager.
- Umpires - Wear only the official uniform supplied by HA when umpiring at a tournament.
- Maintain the fitness level deemed acceptable when your appointment to the tournament was made.
- Abide by all relevant policies documented by HA in relation to your appointment at a HA sanctioned event.
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

During a Tournament the Tournament Director and/or HA Competitions & Events staff are responsible for ensuring that the Code of Behaviour is met at all times.

3. Player/Athlete Code of Behaviour

As a player of HA or as/with a Member⁴ you required to comply with this policy. You must meet the following requirements in regard to your conduct and in any role you hold within HA or as/with

³ As per the Dictionary, this means a State Association, Affiliated Association and/or Affiliated Club

⁴ As per the Dictionary, this means a State Association, Affiliated Association and/or Affiliated Club



a Member.

- Behave in a sporting manner at all times to all players, officials and spectators.
- Don't make detrimental statements in respect of the performance of any match officials or umpires.
- Play by the rules at all times and ensure that the game of hockey is not brought into disrepute by your actions.
- Do not engage in inappropriate and/or physical contact with players or officials during the course of play.
- Accept responsibility for all actions taken. Exercise reasonable care to prevent injury by ensuring that you play within the rules. Reasonable care consists of showing due diligence in abiding by the rules and adhering to the officials decisions.
- Adhere to the HA Anti-Doping Policy.
- Do not bet on the outcome or on any other aspect of a hockey match or competition.
- Do not try to achieve a contrived outcome to a match or competition, or otherwise improperly influence the outcome or any other aspect of a match or a competition.
- Do not show unnecessary obvious dissension, displeasure or disapproval (by action or verbal abuse) towards an umpire or match official as a consequence of his or her decision or generally.
- Abstain from the use of tobacco and the consumption of alcoholic beverages while in the playing/ representative uniform.
- Adhere to the HA Member Protection Policy including the racial and sexual vilification policy.
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
- Don't do anything which adversely affects or reflects on or discredits the game of hockey, HA, a Member, or any squad, team, competition, tournament, sponsor, official supplier or licensee, including, but not limited to, any illegal act or any act of dishonesty or fraud.
- Refrain from using obscene, offensive or insulting language and/or making obscene gestures which may insult other players, officials or spectators.

The Tournament Director and/or HA Competitions & Events staff are responsible for ensuring that the Code of Behaviour is met at all times.

4. Administrator Code of Behaviour

As an administrator of HA or as/with a Member⁵ you required to comply with this policy. You must meet the following requirements in regard to your conduct and in any role you hold within HA or as/ with a Member.

Behaviour

- Help coaches and officials highlight appropriate behaviour and skill development;
- Preserve and protect the standing and reputation of the organization;

⁵ As per the enclosed Dictionary, this means a State Association or its board, committee/s, sub-committee/s or advisory panel, an Affiliated Association and/or Affiliated Club or their board, committee/s, sub-committee/s or advisory panel



- Demonstrate a high degree of individual responsibility especially when dealing with persons under the age of 18 years, as your words and actions are an example;
- Act honestly and in good faith and in the best interests of the sport as a whole;
- Make it clear that abusing young people in any way is unacceptable and will result in disciplinary action.
- Remember, you set an example. Your behaviour and comments should be positive and supportive.

Rules

- Be aware of and maintain adherence to HA standards, rules and regulations and also operate within the international rules and regulations where applicable; if you are unsure of the application of standards, rules and/or regulations, seek advice prior to proceeding;
- Provide the respective Codes of Behaviour to spectators, officials, parents, coaches, players and the media, and encourage their compliance.

Participation & Development

- Support implementation of the HA Junior Hockey Policy.
- Ensure that everyone involved in junior sport emphasises fair play, and not winning at all costs.
- Give all people equal opportunities to participate.
- Create pathways for young people to participate in sport not just as a player but as a coach, Umpire, administrator etc.
- Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of young players.
- Provide quality supervision and instruction for junior players
- Remember that young people participate for their enjoyment and benefit. Do not over emphasise awards.
- Help improve the standards of coaching and officiating;

Human Rights & legislation

- Be aware of your legal responsibilities;
- Abide by the relevant Child Protection requirements and legislation;
- Avoid unaccompanied and unobserved activities with persons under the age of 18 years wherever possible;
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Values, procedure application and business practice approach

- Be professional in all actions - language, presentation, manner and punctuality should reflect high standards; apply this to dealings with all stakeholders internal and external to the organization;
- Resolve conflicts and/or complaints fairly and promptly through established procedures;



- **Demonstrate integrity** – provide frank, impartial and timely advice; be honest, open and transparent; use your powers/position responsibly; report improper conduct/unethical behaviour; avoid any real or apparent conflicts of interest;
- **Demonstrate impartiality**; make decisions and provide advice on merit and without bias, favouritism or self-interest; act fairly by objectively considering all relevant facts and fair criteria;
- **Demonstrate accountability**; working to clear objectives in a transparent manner; accepting responsibility for your decisions and actions; seek to achieve the best use of resources;
- **Demonstrate respect**; promote an environment that encourages respect and behave in a fair and objective manner; manage personal information in an appropriate manner and in accordance with legislation; create and adhere to an environment free of discrimination, harassment and bullying; value and promote diversity; use your knowledge and expertise to deliver a high quality service and identify opportunities to improve service outcomes.

General

Involve young people in planning, leadership, evaluation and decision making related to the activity.

5. Board Member Code of Behaviour

As a board member of HA or as/with a Member⁶ you are required to comply with this policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by HA or a Member and in any role you hold within HA or with a Member as follows:

- Respect the rights, dignity and worth of others.
- Be fair, considerate and honest in all dealings.
- Maintain consistency and impartiality when making decisions.
- Be professional in, and accept responsibility for, your actions.
- Make a commitment to providing quality service.
- Be aware of, and maintain an uncompromising adherence to HA's standards, rules, regulations and policies.
- Operate within the rules of the sport including national and international guidelines which govern HA, and its' Members.
- Do not use your involvement with HA or a Member to promote your own beliefs, behaviours or practices where these are inconsistent with those of HA a Member.
- 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.
- Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
- Refrain from any form of harassment of others.
- Refrain from any behaviour that may bring HA or a Member into disrepute.

⁶ As per the enclosed Dictionary, this means a State Association or its board, committee/s, sub-committee/s or advisory panel, an Affiliated Association and/or Affiliated Club or their board, committee/s, sub-committee/s or advisory panel



- Be a positive role model.
- Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

6. Parent/Guardian Code of Behaviour

- Parents/Guardians shall at all times conform to accepted standards of good sportsmanship and behaviour.
- Parents/Guardians shall at all times respect officials, coaches and players and extend all courtesies to them, and let the coaches do the coaching.
- Lead by example and respect all players, coaches, umpires and spectators – physical or verbal abuse will not be tolerated.
- Respect the umpires' decision. Do not abuse, threaten or intimidate an umpire or match official and do not show dissension, displeasure or disapproval towards an umpire or match official's decision in an abusive or unreasonable fashion.
- Never publicly criticize umpires – raise personal concerns with club officials in private.
- Support skilled performances.
- Show respect for opponents.
- Display appropriate social behaviour by not using profane, demeaning or derogatory language, or harassing players, coaches, officials or other spectators. Show appreciation for good performance and skillful plays by all including opposition.
- Do not throw any object.
- Barrack in a positive way.
- Leave the area tidy and free from litter or other mess.
- Remember that your child and other children participate in the sport of hockey for their enjoyment not yours.
- Never ridicule mistakes or losses, be understanding and supportive and focus on their efforts instead.
- Recognise all volunteers who are giving up their valuable time.
- Be mindful that any poor behavior on your part could result in an Umpire issuing a warning to the team captain of the team you are a spectator/s of. This is to let the spectators know that their team will lose points if they continue to behave in a manner not in line with the code of behaviour.
- Refrain from any form of personal abuse towards your children and team-mates. This includes verbal, physical and emotional abuse. Be alert to any forms of abuse directed towards your children and team-mates, from other sources whilst they are in your care.
- Refrain from any form of harassment towards athletes, spectators or officials. This includes sexual and racial harassment, racial vilification and harassment on the grounds of disability.



- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
- Be a positive role model for your children. Please note: This policy is binding to parents & guardians who have signed an agreement reflecting the Code of Behaviour with either HA or a Member⁷.

7. Spectator Code of Behaviour

Spectators are an important part of the game and shall at all times conform to accepted standards of good sportsmanship and behaviour. As a spectator watching an event that is conducted or sanctioned by HA, you must meet the following requirements with regard to your conduct, as follows:

- Spectators shall at all times respect officials, coaches and players and extend all courtesies to them.
- Lead by example and respect all players, coaches, umpires and fellow spectators – physical or verbal abuse will not be tolerated.
- Respect the umpires' decision. Do not use foul language, sledge, harass, abuse, threaten or intimidate an umpire or match official and do not show dissension, displeasure or disapproval towards an umpire or match official's decision in an abusive or unreasonable fashion.
- Support skilled performances and show respect for opposition teams and players.
- Display appropriate social behaviour by not using profane, demeaning or derogatory language, or harassing players, coaches, officials or other spectators.
- Leave the spectator area tidy and free from litter.
- Do not ridicule mistakes or losses – supporters are there to support.
- Acknowledge all volunteers who are giving up their valuable time to enable the conduct of competition.
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

8. Media Code of Behaviour

Media are an important part of sport and shall at all times meet the requirements with regard to your conduct during any activity held by or under the auspices of Hockey Australia, Member Organisations or Affiliates in your role as a media representative, as follows:

- Provide coverage and reporting of competitive and non-competitive hockey.
- Report and interpret honestly, striving for accuracy and fairness.
- Respect private grief and personal privacy.
- Focus upon player's fair play and their honest effort.
- Be aware of the difference between adult hockey programs and children's hockey programs and treat them accordingly.

⁷ As per the Dictionary, this means a State Association or its board, committee/s, sub-committee/s or advisory panel, an Affiliated Association and/or Affiliated Club or their board, committee/s, sub-committee/s or advisory panel



- Place isolated incidents of unsportsmanlike behaviour in proper perspective, rather than make such incidents the “highlight” of the event.
- Respect the rights, dignity and worth of all involved in hockey regardless of their age, gender, sexual orientation, ability, race, culture or religion.
- Recognise the sporting achievements of players from disadvantaged groups, including adolescent girls, people with disabilities, indigenous and Torres Strait islanders, people from non-English speaking backgrounds and rural population.

For Junior Hockey also adhere to the following:

- Familiarise yourself with the HA Junior Sport Policy.
- Give equal time and space to reporting boys and girls sports.
- Avoid reinforcing stereotypical views on the involvement of boys and girls in hockey.
- Focus on a young player’s fair play and honest effort.
- Focus on the abilities and not the disabilities of young people.
- Do not place unfair expectations on young people. They are not miniature professionals.
- Describe and report on the problems of young people participating in organised sport.

Part C: Employment Screening/Working with Children Check Requirements

HA is committed to providing a child-safe environment. As part of this, our aim is to recruit staff and volunteers who do not pose a risk to children.

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. In support of the Working with Children Check (WWCC) laws, HA aims to prevent people who pose a risk from working with children as paid employees or volunteers. In all states and territories laws require individuals involved in areas such as sport and recreation to undertake checks to determine their suitability to work (in a paid or volunteer capacity) with children.

The state WWCC requirements apply regardless of any provisions within this Policy.

Please note: Working With Children Check exemptions

At the time of this Policy, it was proposed that there be national exemptions to Working with Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes. It was proposed that these exemptions will be for up to 30 days in any 12 month period and will enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This would mean that volunteers and workers with a valid WWCC in their home state or territory will be able to participate in short-term activities across state and territory borders without the need for additional checks.

Accordingly, HA suggests that personnel who have a WWCC in their state or territory and who intend to participate in activities across state and territory borders, check with the destination state or territory’s WWCC authority as to whether these exemptions may apply to them.



Attachments

- Attachment C1: Member Protection Declaration
- Attachment C2: Working with Children Check requirements
- Attachment C3: Screening

1. Member Protection Declaration

Hockey Australia has a duty of care to all those associated with our organisation and our sport. It is a requirement of our Member Protection Policy that we check the background of each person who works, coaches or has regular unsupervised contact with children and young people under the age of 18.

I _____ (name) of _____
_____ (address) born / /

Sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children, acts of violence or narcotics.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment, acts of violence or narcotics.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge there is no other matter that HA may consider constituting a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President or CEO of the hockey organisation engaging me immediately upon becoming aware that any of the matters set out above has changed.

Declared in the State/Territory of _____
on / / (date) Signature _____

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

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

Name: _____

Signature: _____ Date: / /



2. Working with Children Child Protection Requirements

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm. They assess the suitability of people to work with children and young people and can involve:

- Criminal history checks
- Signed declarations
- Referee checks, and
- Other relevant background screening checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. Fact Sheets for each state and territory are available on the Play by the Rules website, or alternatively refer to the individual state concerned (details below) or the Australian Institute of Family Studies - <https://aifs.gov.au/cfca/publications/pre-employment-screening-working-children-checks-and-police-checks>

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

Australian Capital Territory – ACT: Working with Vulnerable People (Background Checking) Act 2011

Contact the Office of Regulatory Services

Website: www.ors.act.gov.au/community/working_with_vulnerable_people_wwvp

Phone: 02 6207 3000

New South Wales – ACT: Child Protection (Working with Children) Act 2013

Contact the Office of the Children's Guardian

Website: www.kidsguardian.nsw.gov.au/check

Phone: 02 9286 7276 or 7219

Northern Territory – ACT: Care and Protection of Children Act 2007

Contact the Northern Territory Screening Authority

Website: www.workingwithchildren.nt.gov.au

Phone: 1800 SAFE NT (1800 723 368) or (08) 8985 8985

Queensland – ACT: Commission for Children and Young People and Child Guardian Act 2000

Contact the Public Safety Business Agency about the “Blue Card” system.

Website: <http://www.bluecard.qld.gov.au/>

Phone: 1800 113 611 or 07 3211 6999

South Australia – ACT: Children's Protection Act 1993

Contact the Department for Communities and Social Inclusion for information

Website: <http://www.dcsi.sa.gov.au/services/screening> and <http://www.families.sa.gov.au/pages/protectingchildren/CSEHome/?reFlag=1>

Phone: 1300 321 592 or 08 8463 6468.

Email: DECDChildSafe@sa.gov.au

National Police Check: www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check

DCSI Child Related Work Screening: <http://www.dcsi.sa.gov.au/services/screening>



Victoria – ACT: Working with Children Act 2005

Contact the Department of Justice & Regulation

Website: www.justice.vic.gov.au/workingwithchildren

Phone: 1300 652 879

Tasmania – ACT: Registration to Work with Vulnerable People Act 2014

Contact the Department of Justice -applicable for clubs & associations (volunteers or employees) from 1 April 2015

Website: www.justice.tas.gov.au/working_with_children

Phone: 1300 135 5 13

Western Australia – ACT: Working with Children (Criminal Record Checking) Act 2004

Contact the Department for Child Protection

Website: www.checkwwc.wa.gov.au

Phone: 1800 883 979 or (08) 6217 8100

Email: checkquery@cpfs.wa.gov.au

Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

3. Screening

In addition to relevant states' WWCC legislation, other types of Screening may be undertaken which may include:

- Checking referees- including making verbal or written enquiries of the person's nominated referees as to the person's suitability for involvement with children under 18 years of age;
- Interviewing the person, and/or;
- Obtaining a Police Check to determine whether the person has any previous criminal convictions.

In instances where a person is required to be screened under a State or Territory law which has an equivalent or higher standard than set under this Policy the requirement to screen under this process in C3 need not be followed. HA recommends that in this sort of an instance that the employee handling this process sight the original documentation evidencing the Preferred Appointee or Existing Appointee has undergone the required legislated screening and is therefore appropriate to work with children under 18 years of age.

If having undertaken a Police Check, it reveals that the person has been found guilty of any criminal offence whether or not a conviction is recorded, the following should be followed;

- a. Regardless of when the offence occurred, if it involved violence, abuse or assault against a child, murder or a serious sex offence⁸, then;
 - In the case of a Preferred Appointee, the person must not be appointed;
 - In the case of an Existing Appointee, subject to obtaining appropriate legal advice, the appointment of this person should be ended.
- b. If the offence is one other than violence, abuse or assault against a child, murder or a

⁸ As defined in the Dictionary and /or as outlined in the relevant state or territory legislation.



serious sex offence, then;

- The Preferred Appointee may be appointed subject to satisfying any of the other criteria for the role;
- An Existing Appointee may continue in his/her role subject to any modifications to his/her duties that HA may in its discretion make.

Part D: Complaint Handling Procedures

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

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

If at any point in the complaint process the appointed HA Member Protection Information Officer (MPIO) considers that a Complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter will be considered for appropriate action under this policy.

All complaints must be submitted in writing to the HA MPIO within 12 months, maximum, of the incident occurring or they will not be considered. A complaint can be withdrawn by the Complainant at any time. Complaints relating to suspected child abuse, child protection or other criminal offence matters are exempted under this time limit

All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint. We will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

We will, where possible, ensure that no one is victimised for making, supporting or providing information about a complaint.

Attachments

Attachment D1: Complaints procedure

Attachment D2: Mediation

Attachment D3: Investigation procedure

Attachment D4: Tribunal procedure

1. Complaints Procedure

HA aims to support people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way. We will keep all complaints confidential. We will not provide information about the complaint to another person without the Complainant's consent, except if the law requires us disclose this information or if it is necessary to properly resolve the complaint.

To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be



difficult for us to resolve complaints made anonymously.

We will provide informal and formal procedures to resolve complaints. Individuals and organisations can also complain to external organisations under anti-discrimination, child protection and other relevant laws.

INFORMAL APPROACHES

Step 1: Talk with the other person (if safe, reasonable and appropriate)

If you feel confident to do so, you can approach the other person to discuss the issues and try and resolve the problem directly.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk with one of our Member Protection Information Officers (MPIOs) if:

- Step 1 is not possible or reasonable
- you are not sure how to handle the problem by yourself
- you want to talk confidentially with someone and find out what options are available to resolve the problem, or
- the problem continues after you approached the other person.

The names and contact details for Member MPIOs can be obtained by contacting your state/territory association or HA.

The MPIO will:

- Take confidential notes about your complaint
- Try to find out the facts of your complaint
- Ask how you would like the problem to be resolved and if you need support
- Seek to provide different options for you to resolve the problem
- Act as a support person, if you wish
- Refer you to an appropriate person (e.g. a mediator) to help you resolve the problem, if appropriate
- Inform the relevant government authorities and/or police, if required by law to do so
- Where possible and appropriate maintain confidentiality.

Step 3: Decide how to resolve the problem

After talking with the MPIO, you may decide:

- There is no problem
- The problem is minor and you do not wish to take the matter forward
- To try and resolve the problem yourself, with or without a support person
- To resolve the problem with the help of someone impartial, such as a mediator
- To resolve the matter through a formal process.



Please note:

If you wish to remain anonymous HA cannot assist you to resolve your complaint. We have to be fair to both sides which means that you through HA, are required to provide the person/s you have complained about with full details of the complaint so they have a fair chance to respond to all the allegations.

FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- Make a formal complaint in writing to the HA CEO; or
- Approach a relevant external agency such as an anti-discrimination commission or equal opportunity commission for advice.

On receiving a formal complaint and based on the material you have provided, the MPIO will decide whether:

- He/she is the most appropriate person to receive and handle the complaint
- Make enquiries about the information received to ascertain whether or not it appears to them that, prima facie, there has been a breach of this Policy, then consider whether the nature and seriousness of the complaint requires a formal resolution procedure and if so he/she will decide to undertake the most appropriate action from the following:
 - to refer the complaint to mediation
 - to appoint a person to investigate the complaint
 - to refer the complaint to a tribunal hearing
 - to refer the matter to the police or other appropriate authority
 - to implement any interim arrangements that will apply until the complaint process is completed.

In making this decision, the MPIO will take into account:

- Whether he/she has had any personal involvement in the circumstances and if someone else should handle the complaint
- Your wishes, and the wishes of the Respondent, regarding how the complaint should be handled
- The relationship between you and the Respondent (e.g. an actual or perceived power imbalance between you and the Respondent)
- Whether the facts of the complaint are in dispute
- Whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint
- The urgency of the complaint, including the possibility that you may face further unacceptable behaviour while the complaint process is underway.

If the MPIO is the appropriate person to handle the complaint he/she will, where appropriate or necessary:

- Provide the information received from you to the person(s) involved and ask for their response



- Decide if there is enough information to determine whether the matter alleged in your complaint did or didn't happen, and/or;
- Determine what, if any, further action to take. This may include not taking any further action, referring the matter for investigation, to the Tribunal or disciplinary action in accordance with this policy. Such decision is to be made at the sole discretion of the MPIO.

Step 5: Investigation of the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in D3 of this policy. Following the investigation, a written report will be provided to the MPIO who will determine what, if any, further action to take.

- If the complaint is referred to mediation, we will follow the steps outlined in D2 or as agreed by you, the respondent and the mediator.
- If the complaint is referred to a tribunal hearing, the hearing will be conducted according to the steps outlined in D5.
- If the complaint is referred to the police or another external agency, we will endeavor to provide all reasonable assistance required by the police or the agency.

Please note: it is not the role of the investigator to seek to resolve the matter, nor to impose a penalty. Any determination, finding or recommendation arising out of the investigation will be referred in the first instance to the MPIO for consideration.

Step 6: Reconsideration of a complaint or appeal decision

If mediation is unable to resolve the matter, you may request that the MPIO reconsider the complaint in accordance with Step 3. You or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in Attachment D5.

Step 7: Documenting the resolution

The MPIO will record the complaint, the steps taken to resolve it and the final outcome. This information will be stored in a confidential and secure place. If the complaint was dealt with at the state/district level, the information will be stored by the state association. If the matter is of a serious nature, or if it was dealt with at the national level, the original document will be stored by HA and a copy stored by the state association.

Improper Complaints and related victimisation

HA aims to ensure that the Complaints Procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint. All necessary steps will be taken to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the MPIO considers that a Complainant has knowingly made an untrue complaint, or the complaint is malicious, vexatious or intended to cause distress to the Respondent, the complaint may be rejected and the matter may be referred to the Hearing Tribunal for review and appropriate action, including possible disciplinary action against the Complainant.

Withholding of Information



Respondent/s are expected to participate in an Investigation or Tribunal proceeding in good faith, and as such to ensure complete disclosure regarding the matter under investigation or being heard.

If a respondent is suspected of and found to have lied or deliberately withheld information or documentation requested by an Investigator or the Tribunal, in the interest of Natural Justice, this action will be referred for substantiation to a separate hearing. If the action is verified as being either a deliberate withholding of information or documentation, or in providing testimony the Respondent has lied, the Tribunal may impose a disciplinary measure as permitted under their authority.

EXTERNAL APPROACHES

If you feel that you have been harassed or discriminated against, you can seek advice from your state or territory anti-discrimination or equal opportunity commission. There is no obligation to make a formal complaint. However, if the commission advises you that the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

Once a complaint is received by the commission, it may investigate the matter. If it appears that unlawful harassment or discrimination has occurred, the commission will attempt to conciliate the complaint on a confidential basis. If this fails, or if it is not appropriate, the complaint may go to a formal hearing. The tribunal will make a finding and decide what action, if any, will be taken.

If you do lodge a complaint with the commission, an appropriate person from our organisation (e.g. an MPIO) will be available to support you during the process. It is also common to have a legal representation, particularly if the complaint goes to a formal hearing.

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website: <http://www.playbytherules.net.au/resources/quick-reference-guide> or the relevant State or Territory anti-discrimination agency via the following link: <https://www.humanrights.gov.au/information-employers-contacts#state>

Serious incidents, such as assault or sexual assault, should be reported to the Police.

2. Mediation

Mediation is a process that allows the people involved in a complaint to talk through the issues with an impartial person - the mediator - and work out a mutually agreeable solution.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to talk through the issues and makes sure that the process is as fair as possible for all concerned.

The following outlines the Mediation procedure that will be followed by HA:

- The people involved in a formal complaint (Complainant and Respondent) may work out their own resolution of the complaint or seek the assistance of a neutral third person or mediator. Mediation may occur either before or after an investigation of the complaint.
- Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved will only be recommended:
 - a. After the Complainant and Respondent have had their chance to tell their version of events to the MPIO on their own, and;
 - b. The MPIO does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated;



- c. Mediation looks like it will work i.e. the versions given by each party appear as though it will be possible for each party to understand the other's point of view.
- Mediation will not be recommended if:
 - a. The Respondent has a completely different version of the events and they won't deviate from these;
 - b. The Complainant or Respondent are unwilling to attempt mediation;
 - c. When/if there is a real or perceived power imbalance between the people involved
 - d. Due to the nature of the complaint, the relationship between the parties or any other relevant factor, the complaint is not suitable for mediation.
 - The MPIO will notify the respondent/s that a formal complaint has been made, provide them with details of the complaint and notify/confirm that HA has decided to refer the matter to mediation for resolution.
 - If mediation is chosen to try to resolve the complaint, the MPIO will in consultation with the Complainant and respondent, arrange for a Mediator to mediate the complaint.
 - The mediator will be an independent person in the context of the complaint, however this does not preclude a person with an association with HA acting as a mediator.
 - The mediator will talk with the Complainant and Respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
 - All issues raised during mediation will be treated confidentially. We also respect the rights of the Complainant and the Respondent(s) to pursue an alternative process if the complaint is not resolved.
 - If the complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement that has been reached. This agreement will be signed by the Complainant and the respondent(s). We expect the parties involved to respect the terms of the agreement.
 - If the complaint is not resolved by mediation, the Complainant may:
 - Write to the MPIO to request that the MPIO reconsider the complaint in accordance with Step 3
 - Approach an external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

3. Investigation Process

There will be times when a complaint will need to be investigated and evidence gathered. An investigation helps determine the facts relating to the incident, as well as possible findings and recommendations. Any investigation that we conduct will be fair to all people involved and will be undertaken by an unbiased person.

If HA decides that a complaint should be investigated, the following steps will apply.

- HA will provide directions in writing to the investigator that sets out the terms of engagement and his or her roles and responsibilities. The investigator will:
 - Interview the Complainant and record the interview in writing.
 - Provide full details of the complaint and attached/accompanying documentation to the Respondent(s) so that they can respond.



- Interview the Respondent(s) to allow them to answer the complaint and record the interview in writing.
 - Obtain statements from witnesses and collect other relevant evidence if there is a dispute over the facts. All persons bound by this Policy shall comply with all reasonable requests by the Investigator for requests of copies of documentation and need to cooperate in the conduct of the Investigation.
 - 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.
 - Provide a report to the MPIO documenting the complaint, investigation process, evidence, finding/s and any recommendations.
- HA will provide a report to the Complainant and the Respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
 - The Complainant and the Respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
 - 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 D5.
 - If it is the view of the Investigator that the Respondent/s have lied or deliberately withheld information or documentation, they shall recommend that this matter be referred to the Tribunal.

Please note: it is not the role of the investigator to seek to resolve the matter, nor to impose a penalty. Any determination, finding or recommendation arising out of the investigation will be referred in the first instance to the MPIO for consideration.

4. Procedure for Handling Allegations of Child Abuse

HA will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with HA or a Member in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below. However if you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000. Fact sheets on reporting allegations of child abuse in different states and territories are available at <http://www.playbytherules.net.au/legal-stuff/child-protection>

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.



DO	DON'T
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion
Explain that other people may need to be told in order to stop what is happening	Do not discuss the details with any person other than those detailed in these procedures
Promptly and accurately record the discussion in writing	Do not contact the alleged offender

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or Police for advice if there is any doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the MPIO of Hockey Australia so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

- The HA CEO or delegated nominee will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with HA.
- The HA CEO or delegated nominee will consider what services may be most appropriate to support the child and his or her parent/s.
- The CEO or delegated nominee will consider what support services may be appropriate for the alleged offender.
- The CEO or delegated nominee will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by HA).
- Regardless of the findings of the police and/or child protection agency investigations, HA will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.



- The MPIO and/or Hearing Tribunal (if the matter is also referred to the Tribunal) will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, HA will follow the procedures set out in Clause 9 of the HA Member Protection Policy.
- HA will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

Contact details for advice or the Intake contact phone numbers to report an allegation of child abuse are as follows:

AUSTRALIAN CAPITAL TERRITORY	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services Ph: 1300 556 729 (general public) or Ph: 02 6207 6956 www.dhcs.act.gov.au/ocyfs/services/care_and_protection If not urgent, enquiries can be emailed to: childprotection@act.gov.au
NEW SOUTH WALES	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Family and Community Services Ph: 132 111 www.community.nsw.gov.au
NORTHERN TERRITORY	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families Ph: 1800 700 250 www.childrenandfamilies.nt.gov.au
QUEENSLAND	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities, Child Safety and Disability Services Ph: 1800 811 810 & A/H 1800 177 135 www.communities.qld.gov.au/childsafety
SOUTH AUSTRALIA	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development Ph: 131 478 www.families.sa.gov.au/childsafe
TASMANIA	



<p>Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au</p>	<p>Department of Health and Human Services Ph: 1300 737 639 www.dhhs.tas.gov.au/children</p>
VICTORIA	
<p>Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au</p>	<p>Department of Human Services – CP Crisis Line http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection Ph: 131 278 (A/H only)</p> <p>Daytime contact details are:</p> <p>Metropolitan Northern and western suburban LGAs Ph: 1300 664 977 Eastern suburban LGAs Ph: 1300 360 391 Southern suburban LGAs Ph: 1300 655 795</p> <p>Rural and Regional South-western rural and regional LGAs Ph: 1800 075 599 Western rural and regional LGAs Ph: 1800 000 551 North-western rural and regional LGAs Ph: 1800 675 598 North-eastern rural and regional LGAs Ph: 1800 650 227 Eastern and south-eastern rural and regional LGAs Ph: 1800 020 202</p>
WESTERN AUSTRALIA	
<p>Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au</p>	<p>Department for Child Protection and Family Support www.dcp.wa.gov.au Ph: (08) 9223 1111 (after hours only – crisis line)</p> <p>To be advised to the relevant suburban office (the suburb where the child lives). For Daytime contact details refer to the relevant suburb/town CP office via the following links:</p> <p>Metropolitan CP offices – https://www.dcp.wa.gov.au/Organisation/ContactUs/Pages/DistrictOfficeLocations-Metropolitanarea.aspx</p> <p>Country District offices – https://www.dcp.wa.gov.au/Organisation/ContactUs/Pages/DistrictOfficeLocations-Country.aspx</p>

5. Hearings & Appeals Tribunal Procedure

HA has the power under the HA MPP to convene a Tribunal to hear and determine referrals by the HA MPIO or the HA CEO. Referrals may be a complaint(s) concerning allegations of a breach(es) of the MPP made against a person(s) or a Member organization, a MPP matter referred by a Member (state) Association at the conclusion of its' internal complaint and/or investigation process or any other national member protection related matter as determined by the MPIO or HA CEO.



Membership of Tribunal

- a. The Tribunal panel shall be appointed by the HA MPIO and shall, where possible, comprise of the following:
- b. HA will appoint Tribunal Members to conduct a Tribunal at its absolute discretion in accordance with this Policy.
- c. HA shall appoint a Panel of Tribunal Members consisting of such person or persons as HA shall from time to time deem fit (Tribunal Members).
- d. Subject to this Policy the Tribunal shall, ordinarily, consist of 3 Tribunal Members but will sit with a minimum of 2 members.
- e. HA shall appoint a Tribunal Member to act as Chairperson for each Tribunal hearing. Such person shall be legally qualified and of sufficient experience and skills suitable to the function of chairing a tribunal panel.
- f. Where possible Tribunal Member (s) will have a thorough knowledge of Hockey, and should be experienced and skilled suitably for the function of a Disciplinary Tribunal member.
- g. Tribunal Panel Member (s) must not be a Director of the HA Board or a person who would by reason of their relationship with the Complainant or the alleged offender or otherwise, be reasonably considered to be other than impartial;
- h. The Tribunal Panel will not include any person who has any actual or perceived conflict of interest or bias regarding the matter.

**No Tribunal decision shall be invalidated by any irregularity in the appointment of a Tribunal member.

Authority of the Tribunal

- a. If an individual or organisation to which the HA MPP applies is found by the Tribunal to have breached this policy, one or more forms of discipline may be imposed by the Tribunal. The Tribunal has the power to suspend, disqualify, reprimand, fine, bond, ban, direct a verbal or written apology, advise HA to consider terminating a person's appointment or employment, or another appropriate sanction.
- b. The Tribunal may also deal with any other disciplinary matter delegated to it for adjudication by the HA MPIO or HA CEO.
- c. The Tribunal must at all times act independently and impartially in carrying out its duties in accordance with this Policy.
- d. Any disciplinary measure imposed by the Tribunal under this Policy must:
 - Be applied consistently with any contractual and/or employment rules or requirements;
 - Be fair and reasonable, and;
 - Be based on the evidence and information presented and the seriousness of the breach.

Preparation for Tribunal Hearing

1. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the MPIO/CEO/Member (state) Association relating to the complaint/allegations.
2. The Tribunal hearing will be held as soon as practicable, but must allow adequate time for the Respondent(s) to prepare for the hearing but no later than two weeks following receipt of the notice to convene the Tribunal.
3. The MPIO will inform the Respondent(s) in writing that a tribunal hearing will take place. The notice



will outline:

- That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
- Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached;
- The date, time and venue of the tribunal hearing;
- That they can make either verbal or written submissions to the Tribunal;
- That they may arrange for witnesses to attend the Tribunal in support of their position (statutory declarations of witnesses not available or from character witnesses may also be provided to the Tribunal);
- An outline of any possible penalties that may be imposed if the complaint is found to be true; and
- That legal representation will not be allowed. They may have a support person or advocate at the hearing, however this person cannot be or have been a trainee lawyer or been admitted to practice as a lawyer. If the Respondent is a minor, they should have a parent or guardian present.

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

The Respondent(s) will be allowed to participate in all HA or Member activities and events, pending the decision of the Tribunal, including any available appeal process, unless the MPIO believes it is necessary to exclude the Respondent(s) from all or some HA or Member activities and events, after considering the nature of the complaint.

4. The MPIO will notify the Complainant in writing that a tribunal hearing will take place. The notice will outline:

- That the person has a right to appear at the tribunal hearing to support their complaint;
- Details of the complaint, including any relevant rules or regulations the Respondent is accused of breaching
- The date, time and venue of the tribunal hearing;
- That they can make either verbal or written submissions to the Tribunal;
- That they may arrange for witnesses to attend the Tribunal in support of their position (or provide statutory declarations from witnesses unable to attend); and
- That legal representation will not be allowed. They may have a support person or advocate at the hearing, however this person cannot be or have been a trainee lawyer or been admitted to practice as a lawyer. If Complainant is a minor, they should have a parent or guardian present.

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

5. If the Complainant believes the details of the complaint are incorrect or insufficient he or she should inform the MPIO as soon as possible so that the Respondent and the Tribunal Panel members can be properly informed of the complaint.

Tribunal Hearing Procedure

6. The following people will be allowed to attend the Tribunal Hearing:



- The Tribunal panel;
 - The Respondent(s);
 - The Complainant;
 - Any witnesses called by the panel;
 - Any witnesses called by the Respondent;
 - Any witnesses called by the Complainant;
 - Any parent/guardian or support person required to support the Respondent or the Complainant.
7. If the Respondent(s) is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been met.
 8. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the Respondent(s) has been presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
 9. The Tribunal Chairperson will inform the MPIO of the need to reschedule, and the MPIO will organise for the Tribunal to be reconvened.
 10. The Tribunal Chairperson will read out the complaint, ask the Respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
 11. If the Respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures or penalties.
 12. If the Respondent disagrees with the complaint, the Complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.
 - The Complainant may call witnesses.
 - The Respondent(s) may question the Complainant and witnesses.
 13. The Respondent(s) will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The Respondent may call witnesses.
 - The Complainant may ask questions of the Respondent and witnesses.
 14. The Complainant and Respondent may be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the hearing until required.
 15. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented to those who provide any new evidence.
 - Require (to the extent it has power to do so) the attendance of any witness it deems relevant;
 - Act in an inquisitorial manner in order to establish the truth of the issue/case before it.



16. Video evidence, if available, may be presented. The arrangements are the responsibility of the person/s wishing to offer this type of evidence.
17. If the Tribunal considers that at any time during the Tribunal Hearing there is any unreasonable or intimidating behaviour from anyone, the Chairperson may deny further involvement of the person in the hearing.
18. After all of the evidence has been presented the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has been substantiated on the balance of probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The Respondent will be given an opportunity to address the Tribunal on disciplinary measures which might be imposed. Disciplinary measures imposed must be reasonable in the circumstances.
19. All Tribunal decisions will be by majority vote.
20. The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form at a later time.
21. Within 48 hours, the Tribunal Chairperson will:
 - Forward to the MPIO who convened the Hearings Tribunal a notice of the Tribunal decision including any disciplinary measures imposed.
 - Forward a letter to the Respondent(s) reconfirming the Tribunal decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal. Where the matter is of unusual complexity or importance, the Tribunal Chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
22. The Tribunal does not need to provide written reasons for its decision.

Appeals Procedure

Appeal Panel

If an appeal hearing is granted, the MPIO shall convene an Appeal Panel to hear and determine the appeal in accordance with this procedure.

- a. An Appeal Tribunal shall consist of no fewer than three (3) persons appointed by HA from time to time to hear appeals. Members of an Appeal Tribunal shall be drawn from the same pool of Tribunal panel members as the original Tribunal hearing.
- b. Only Tribunal panel members who were not involved in the original hearing of a matter the subject of an appeal shall be eligible to sit on an Appeal Tribunal.
- c. The Tribunal chairperson shall be nominated by the MPIO.

Proceedings and Authority of the Appeal Tribunal

1. If a Complainant or a Respondent(s) is not satisfied with the outcome of mediation, investigation or a Tribunal decision, he or she can lodge via the HA CEO or designated nominee, one appeal on one or more of the following bases:
 - That a denial of natural justice has occurred
 - That the disciplinary measure(s) imposed is unjust and/or unreasonable



- That the decision was not supported by the information/evidence provided to the MPIO/Mediator/Investigator/Tribunal.
2. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the HA CEO or designated nominee within 5 business days of being advised of the relevant decision. A non-refundable appeal fee of \$110.00 (incl GST) shall be included with the letter of intention to appeal, with the exception of an appeal to CAS which shall be as per the Code of Sports-Related Arbitration applicable to CAS or, submit to the Chairperson of the Appeal Body or CAS (as the case may be), the grounds of the appeal in writing and provide copies to the other party, to the MPIO who established the Hearings Tribunal who made the decision which is the subject of the appeal and the MPIO who established the Appeal Body (if different persons).
 3. If the letter of appeal is not received by the MPIO within the time period the right of appeal lapses. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal shall be deemed withdrawn.
 4. The letter of appeal and notice of tribunal decision will be forwarded to the Chair of the Appeal Panel to review and decide whether there are sufficient grounds for the appeal to proceed.
 5. If the appellant has not shown sufficient grounds for appeal in accordance with clause 1 of the Appeal Tribunal procedure, then the appeal will be rejected. The appellant will be notified with reasons.
 6. If the appeal is accepted, an Appeal Tribunal comprising of different persons to that of the original Tribunal, will be convened to rehear the complaint. The Tribunal Procedure for the conduct of the Appeal Hearing shall be followed for the appeal i.e. the Appeal Tribunal and persons appearing before it are bound by the same procedures under this procedure as if the Appeal Tribunal was a Tribunal hearing a matter at first instance.
 7. An Appeal Tribunal shall have the power to:
 - dismiss the appeal;
 - uphold the appeal;
 - impose any of the penalties set out in the procedure.
 - reduce, increase or otherwise vary any penalty imposed by the initial hearings Tribunal
 - shall have the discretion to conduct the hearing as a complete re-hearing or to limit the hearing to consideration of the ground(s) of appeal relied upon by the Appellant under Cl.1 of the Appeal Tribunal procedure.
 - The Chair of the Appeal Panel may invite any witness/es to the hearing it believes are required to make an informed decision.
- in such manner as it thinks fit.
8. The Appeal Tribunal is not obliged to give oral or written reasons for a decision.
 9. At the conclusion of the appeal, the Chairperson of the Appeal Tribunal shall ensure that the Appellant is correctly informed of the determinations of the Appeal Tribunal. The Chairperson shall also notify the MPIO of the decision of the Appeal Tribunal and provide to HA all minutes and written records relating to the hearing, for record keeping purposes.
 10. The decision of the Appeal Tribunal will be final and binding.
 11. HA will keep Hearing and Appeal Tribunal records for a period of 12 months.



Part E: Reporting Requirements and Forms

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially and stored in a secure place.

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

We will ensure that everyone who works with HA or a Member in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in their state or territory.

Attachments

- Attachment E1: Confidential record of informal complaint
- Attachment E2: Confidential record of formal complaint
- Attachment E3: Confidential record of child abuse allegation



1. Confidential Record of Informal Complaint

Name of person receiving complaint	Date: / /
Complainant's name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official
When/where did the incident take place?	
What are the facts relating to the incident, as stated by complainant?	
What is the nature of the complaint? (category/basis/grounds)	<input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Religion <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Other
Tick more than one box if necessary	<input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Unfair decision <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child abuse <input type="checkbox"/> Selection dispute
What does the complainant want to happen to resolve the issue?	
What other information has the complainant provided?	
What is the complainant going to do now?	

This record and any notes must be kept in a confidential and safe place - do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be retained by HA.



2. Confidential Record of Formal Complaint

Complainant's name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18 Date: / /
Complainant's contact details	Phone: Email:
Complainant's role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18
Respondent's role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official
Location/event of alleged issue	
Description of alleged issue	
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Religion <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Other <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Unfair decision <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child abuse <input type="checkbox"/> Selection dispute
Methods (if any) of attempted informal resolution	



2. Confidential Record of Formal Complaint (Continued)

Formal resolution procedures followed (outline)	
If investigated: Finding -	Phone: Email:
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: Signature: Date: / /
Signed by	Complainant: Respondent:

This record and any notes must be kept in a confidential and safe 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 retained by HA and a copy kept at the club/state/district level (whatever level the complaint was made).



3. Confidential Record of Child Abuse Allegation

Before completing, ensure the procedures outlined in attachment D4 have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's name (if other than the child)	Date formal complaint received: / /
Role/status in sport	
Child's name	Age:
Child's address	
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)	
Name of person complained about	
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official -----
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)	
Police contacted	Who: When: Advice provided:



3. Confidential Record of Child Abuse Allegation (continued)

Government agency contacted	Who: When: Advice provided:
HA MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: Date: / /
Signed by	Complainant (if not a child):

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