

South Australian Women's League

(SAWFL)



MEMBER PROTECTION POLICY

VERSION 2

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REVIEW HISTORY OF SAWFL MEMBER PROTECTION POLICY

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PREFACE

The South Australian Women's League(SAWFL) is committed to providing an environment safe for children that is free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.

This policy provides a code of behaviour forming the basis of appropriate and ethical conduct which everyone must abide by.

The South Australian Women's League is committed to ensuring that everyone associated with the SAWFL complies with the policy.

GLOSSARY OF TERMS

This Glossary of Terms sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

Abuse is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

Affiliated club means any club which has teams competing in any Affiliated League.

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

Child abuse and neglect involves conduct which puts children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms, including verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child). This tends to be a chronic behavioural pattern directed at a child so that a child's self esteem and social competence are undermined or eroded over time.
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

Complaint means a complaint made under clause 7.1.

Complainant means a person making a complaint.

Complaint Handler/Manager means a person appointed under this policy to investigate a Complaint

Criminal History Assessment is a decision about whether a person is suitable to work with children based on the person's criminal history (if any) and the assessed risk of harm to children who receive a service from the organisation. The assessment must be conducted by an organisation or authorised screening unit in accordance with section 8B of the *Children's Protection Act 1993*.

Criminal History Report refer to definition of "police check"

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics (Indirect Discrimination). The characteristics covered by discrimination law across Australia are:

- Age;
- Disability;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex or gender;

- Social origin;
- Trade union membership/activity.

(Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above).

Examples of Discrimination

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

Harassment is any type of behaviour that the other person does not want and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and a reasonable person would recognise it as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other characteristic (see characteristic list under discrimination).

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal.

Discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Some exceptions to state and federal anti-discrimination law apply. Examples include:

- holding a competitive sporting activity for females only who are under 12 years of age or of any age where strength, stamina or physique is relevant or
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

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

It is also a breach of discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made such a complaint.

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 on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

Mediator means an impartial/neutral person appointed to mediate Complaints.

Member means any; player, coach, assistant coach, team official, umpire, match official or individual in a prescribed position in any Affiliated League or club.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy.

Natural justice (also referred to as procedural fairness) incorporates the following principles:

- 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;
- no person may judge their own case;
- the decision maker/s must be unbiased, fair and just;
- the penalties imposed must be fair.

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

This policy means this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of conduct means standards of conduct required of certain roles (e.g. coaches).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

Sexual offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Procuring sexual penetration of child under the age of 16
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography
- Publishing child pornography and indecent articles.

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

Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting such a person.

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

PART A: SAWFL MEMBER PROTECTION POLICY

1. Purpose of this policy

This Member Protection Policy aims to maintain ethical and informed decision-making and responsible behaviours within our League. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. This policy informs everyone involved in our sport, as part of the South Australian Women's League, of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

The policy attachments outline the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the South Australian Women's League will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by the SANFL and has been incorporated into the League's Constitution. The policy starts on April 1, 2012 and will operate until replaced. Copies of the current policy and its attachments can be obtained from the League website at www.sawfl.org.au.

2. Who this Policy Applies To

This policy applies to the following people, whether they are acting in a paid or unpaid/voluntary capacity, in South Australian Women's League or and Club associated with South Australian Women's League:

Persons appointed or elected to boards, committees and sub-committees

Employees of South Australian Women's League

Members of the SAWFL

Support personnel appointed or elected to Representative teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers)

Representative team coaches and assistant coaches

Representative players

All umpires and other officials involved in the regulation of the sport

Members, including life members of the South Australian Women's League

Players, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by the South Australian Women's League

All Clubs associated with South Australian Women's League are required to adopt and implement this policy and to provide proof to the South Australian Women's League of the approval of the policy by the relevant board in accordance with its constitution.

This policy will continue to apply to a person, even after they have stopped their association or employment with the South Australian Women's League, if disciplinary action against that person has commenced.

3. Responsibilities of the Organisation

The South Australian Women's League, and all associated clubs must:

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

4. Individual Responsibilities

Individuals bound by this policy are responsible for:

- Making themselves aware of the policy and complying with its standards of behaviour
- Complying with our screening requirements and any South Australian Working with Children checks
- Placing the safety and welfare of children above other considerations
- Being accountable for their behaviour
- Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour
- Complying with any decisions and/or disciplinary measures imposed under this policy

5. Position Statements

5.1 Child Protection

The South Australian Women's League is committed to the safety and wellbeing of all children and young people participating in, officiating or associated in any way with football in South Australia. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

The South Australian Women's League acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. Our aim is to continue this and to take measures to protect the safety and welfare of children participating in our sport through the following mechanisms:

5.1.1 *Identify and Analyse Risk of Harm*

The South Australian Women's League will implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly our sport and all associated environments are and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another child.

5.1.2 *Develop Codes of Conduct for Adults and Children*

The South Australian Women's League will ensure that all associated clubs have established codes of conduct that specify standards of behaviour and care when dealing and interacting with children. The South Australian Women's League will also implement a code of conduct to address appropriate behaviour between children.

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

5.1.3 *Choose Suitable Employees and Volunteers*

The South Australian Women's League will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

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

The South Australian Women's League will ensure that criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law.¹

If a criminal history report is obtained as part of their screening process, the South Australian Women's League will ensure that the criminal history information is dealt with in accordance

¹ Children's Protection Act 1993 Section 8B.

with the standards developed by the Chief Executive, Department for Families and Communities.² (See Part C)

5.1.4 Support, Train, Supervise and Enhance Performance

The South Australian Women's League will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

5.1.5 Empower & Promote the Participation of Children In Decision-Making And Service Development

The South Australian Women's League will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

5.1.6 Report and Respond Appropriately To Suspected Abuse and Neglect

The South Australian Women's League will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The South Australian Women's League will make all volunteers and employees aware of their responsibilities under the *Children's Protection Act 1993* if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

In addition to their obligation as a mandated notifier, if any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in attachment D1 of this policy. This will explain what to do about the behaviour and how the South Australian Women's League will deal with the problem.

5.2 Taking Images of Children

The South Australian Women's League acknowledges that in South Australia under the Summary Offences Act 1953 a person must not engage in indecent filming. Images of children and adults should not be used inappropriately or illegally.

The South Australian Women's League 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. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If, following reasonable consideration, written permission is deemed necessary for the use of an image, this permission should be obtained from the child's parent/guardian using the template at Part E.

5.3 Anti-Discrimination and Harassment

The South Australian Women's League opposes all forms of harassment, discrimination and bullying.

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

Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at [clause 10], are against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment D1 of this policy.

² Families and Communities (2007) *Child Safe Environments: Principles of Good Practice & Suggested Implementation Guidelines and Indicators*. Adelaide: DFC.

This will explain what to do about the behaviour and how the South Australian Women's League will deal with the problem.

5.4 Sexual Relationships

The South Australian Women's League takes the view that intimate relationships (whether or not of a sexual nature) between coaches and athletes, while not necessarily constituting harassment, can have harmful effects on the athlete, on other athletes and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between coaches and athletes in terms of authority, maturity, status, influence and dependence.

Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, they should be avoided by coaches at all levels. In the event that an athlete attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions.

The coach or athlete may wish to approach the South Australian Women's League's MPIO if they feel harassed. Our complaints procedure is outlined in Attachment D1 of this policy.

5.5 Pregnancy

Everyone bound by this policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport.

The South Australian Women's League recommends that pregnant women wanting to participate in our sport consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. We will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

5.6 Gender Identity

Everyone bound by this policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as transgender discrimination or harassment are provided in the Dictionary at [clause 10].

The South Australian Women's League recognises that the exclusion of transgender people from participation in sporting events has significant implications for their health, well-being and involvement in community life. In general South Australian Women's League will facilitate transgender persons participating in our sport with the gender with which they identify.

The South Australian Women's League also recognises there is debate over whether a male to female transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, the South Australian Women's League will seek advice on the application of those laws in the particular circumstances.

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

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.

5.7 Responsible Service and Consumption of Alcohol

The SA Amateur Football League is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that member clubs follow the guidelines below 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
- a staff member will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed
- safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.

5.8 Smoke-Free Environment

The SA Amateur Football League recommends that the following policies be applied to all sporting and social events that we hold or endorse.

- No smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers.
- Social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas.
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke-free while they are involved in an official capacity in our sport, both on and off the field.

5.9 Cyber-Bullying

The SA Amateur Football League regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

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.

The SA Amateur Football League will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a criminal offence punishable.

Frustration at an umpire, teammate, coach 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 club, league or peak sporting body.

5.10 Social networking websites

The SA Amateur Football League acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

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 and tweets:

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

6. Complaints Procedures

The grievance procedure set out in this rule applies to disputes under these rules between a Member and:

- another Member or
- the Association.

The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all parties.

If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties must, within ten (10) days, refer the dispute to the State Sport Dispute Centre for resolution. South Australian Women's League may also refer the dispute to the State Sport Dispute Centre.

South Australia is the only state which has in place a State Sport Dispute Centre as an alternative to resolving Grievance matters. It is recommended that clubs allow matters to be elevated to the regional or state level and that the option to refer matters is considered as an alternative to referring matters to the NSO.

The State Sport Dispute Centre is operated by the South Australian Sports Federation (Sport SA).

6.1. Complaints

The South Australian Women's League aims to provide a simple procedure for complaints based on the principles of procedural fairness (natural justice). Any person (a complainant) may report a complaint about a person/s or organisation bound by this policy (respondent). Such complaints should be reported to the MPIO.

In all cases, the lowest level at which a matter can be dealt with shall always be preferred (e.g. if the club can deal with the complaint, then it should; if not, then if the State body can deal with the complaint, then it should). Only in the most serious cases should the matter be referred to the national body, unless the matter has arisen at or relates to the national level. 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
- behaviour or an incident that occurred at the 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.

A complaint may be dealt with informally or formally. The complainant usually decides this unless the MPIO considers that the complaint falls outside this policy and would be better dealt with another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

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

Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection, criminal or other relevant legislation.

6.2. Vexatious Complaints & Victimisation

The South Australian Women's League aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation. If at any point in the complaints process the MPIO considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred for appropriate action which may include disciplinary action against the complainant.

The South Australian Women's League 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.

6.3. Mediation

The South Australian Women's League aims to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions. Mediation may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the MPIO will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are *not* to negotiate on behalf of the complainant and/or the respondent.

6.4. Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by the MPIO;
- because of the serious nature of the complaint, or unable to be resolved at the local level, or the state policy directs it to be; and/or
- for an alleged breach of this policy

If the standard Tribunal Process is not able to hear a complaint of this nature, a special Complaints Tribunal may be convened.

A respondent may lodge an appeal only 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 organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

7. What is a Breach of this policy

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

- Breaching the Codes of Behaviour (attachment B to this policy);
- Bringing the sport and/or the South Australian Women's League into disrepute, or acting in a manner likely to bring the sport and/or the SAWFL into disrepute;
- Failing to follow South Australian Women's League policies (including this policy) and procedures for the protection, safety and welfare of children;
- Discriminating against, harassing or bullying (including cyber bullying) any person and in particular, a child;
- Victimising another person for reporting a complaint or discharging their obligation as a mandated notifier;
- Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- Disclosing to any unauthorised person or organisation any South Australian Women's League information that is of a private, confidential or privileged nature;
- Making a complaint they knew to be untrue, vexatious, malicious or improper;
- Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- Failing to comply with a direction given to the individual or organisation during the discipline process.

8. Disciplinary Measures

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. Any disciplinary measure imposed under this policy must:

- Be applied consistent with any contractual and employment rules and requirements;

- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach; and
- Be determined in accordance with our Constitution, By Laws, this policy and/or Rules of the sport.

8.1 Individual

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

- 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, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the South Australian Women's League;
- 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 the South Australian Women's League 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 the Tribunal considers appropriate.

8.2 Organisation

If a finding is made that any club associated to South Australian Women's League has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the Tribunal:

- A written warning;
- A fine;
- A direction that any rights, privileges and benefits provided to that organisation by the state body or other peak association be suspended for a specified period;
- A direction that any funding granted or given to it by the South Australian Women's League or state body cease from a specified date;
- A direction that the South Australian Women's League cease to sanction events held by or under the auspices of that organisation;
- A recommendation to the club that its membership of the South Australian Women's League be suspended or terminated in accordance with the relevant constitution or rules; and/or
- Any other form of discipline that the national body or peak organisation considers reasonable and appropriate.

8.3 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;
- Consequences 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); and/or
- Any other mitigating circumstances.

PART B – CODES OF BEHAVIOUR

South Australian Women's Football League - Code Of Conduct

All members of The League shall adopt the SAWFL Code of Conduct. The League encourages members to be vigilant in enforcing such codes whether via support for those who constantly abide by the codes and/or harsh penalties for those who fail to act in accordance with the codes.

The League also fully supports the Codes of Conduct as introduced by the AFL, the SANFL and the SAAFL.

Conduct that is prejudicial to the interests of The League, and conduct unbecoming a member, registered player or official is not to be tolerated and will result in disciplinary action by The Board.

ADMINISTRATORS/MEMBER CLUB OFFICIALS

- ☐ Make sure coaches and officials are trained and acknowledged for their efforts.
- ☐ Set the example by ensuring all The League's Rules, Regulations and procedures are in place.
- ☐ Administer discipline in a just, fair and supportive manner.
- ☐ Be responsible for the conduct of your players, spectators and officials.
- ☐ Respect the rights and dignity of every person.
- ☐ Be aware of your legal responsibilities.

COACHES

- ☐ Treat all players with respect at all times.
- ☐ Refrain from any form of personal harassment or abuse.
- ☐ Do not ridicule players and provide feedback in a positive manner.
- ☐ Respect gender, ability, culture, background and religion.
- ☐ Abide by umpire's decisions.
- ☐ Control your temper and don't use abusive language.
- ☐ Promote a climate of mutual support among your players and encourage them to respect one another.

PLAYERS

- ☐ Respect the rights and dignity of fellow players, coaches, umpires, officials and spectators.
- ☐ Abide by the rules and respect the decision of umpires.
- ☐ Conduct yourself in a responsible manner relating to language, temper and attitude.
- ☐ Refrain from any conduct which could be construed as harassment and bullying.
- ☐ Respect gender, ability, culture, background and religion.
- ☐ Control your temper and don't use abusive language.

UMPIRES

- ☐ Treat all participants with respect at all times.
- ☐ Umpires shall be impartial and maintain integrity in their relationship with other umpires, players and spectators.
- ☐ Compliment and encourage all players and refrain from any personal abuse or harassment towards players.
- ☐ Condemn unsporting behaviour and promote respect.
- ☐ Be consistent, objective and respectful when making your decisions.
- ☐ Place the safety and welfare of the players above all else.

SPECTATORS

- ☐ Encourage players to play according to the rules and official decisions
- ☐ Do not ridicule umpires, players or other spectators.
- ☐ Respect and abide by decisions of umpires and officials.
- ☐ Respect rights and dignity of others.
- ☐ Do not use abusive language and refrain from any conduct that could be construed as harassment or bullying.
- ☐ Do not take any alcohol, bottles or glass onto the oval.

AFL Next Generation Junior Match Policy – Codes of Behaviour

The Codes of Behaviour outlined below have been derived from the AFL Next Generation Junior Match Policy.

B.1 Players

- Play by the rules: they are there for the good of all.
- Never argue with an official: if you disagree, discuss the matter with your coach or teacher after the game.
- Control your temper: verbal abuse, racial or religious vilification of other players, and provoking an opponent or the other team are never appropriate.
- Be a good sport: applaud all good plays by your team, opponent or the opposition team.
- Treat all players fairly: treat all players as you would like to be treated. Do not interfere with, bully or take unfair advantage of another player.
- Cooperate willingly: cooperate with your coach, teammates and opponents. Without them there would be no game.
- Play for fun: Play for the 'fun of it' and not just to please parents and coaches.

B.2 Coaches' Code of Conduct (as signed by accredited coaches)

- I will respect the rights, dignity and worth of all individuals within the context of my involvement in Australian Football, including refraining from any discriminatory practices on the basis of race, religion, gender, ethnic background or special ability/disability.
- I will abide by and teach the AFL Laws of the Game and the rules of my club and league/association.
- I will be reasonable in the demands I make on the time commitments of the players in my care, having due consideration for their health and well-being.
- I will be supportive at all times and I will refrain from any form of personal or physical abuse or unnecessary physical contact with the players in my care.
- I will have due consideration for the varying maturity and ability levels of my players when designing practice schedules, practice activities and involvement in competition.
- Where I am responsible for players in the 5-18-year-old age group, I will strive to ensure that all players gain equal playing time. I will avoid overplaying the talented players, aiming to maximise participation, learning and enjoyment for all players regardless of ability.
- I will stress and monitor safety always.
- In recognising the significance of injury and sickness, I will seek and follow the physician's advice concerning the return of injured or ill players to training.
- I will endeavour to keep informed regarding sound principles of coaching and skill development, and of factors relating to the welfare of my players.
- I will at all times display and teach appropriate sporting behaviour, ensuring that players understand and practise fair play.
- I will display and foster respect for umpires, opponents, coaches, administrators, other officials, parents and spectators.
- I will ensure that players are involved in a positive environment where skill learning and development are priorities and not overshadowed by a desire to win.
- I reject the use of performance-enhancing substances in sport and will abide by the guidelines set forth in the AFL Anti-Doping and Illicit Drugs policies.

I agree to the following terms:

- I agree to abide by the AFL Coaches' Code of Conduct.
- I acknowledge that the AFL, or a body affiliated with the AFL, may take disciplinary action against me if I breach the code of conduct. I understand that the AFL, or a body affiliated with the AFL, is required to implement a complaints handling procedure in accordance with the principles of natural justice in the event of an allegation against me.
- I acknowledge that disciplinary action against me may include de-registration from the AFL National Coaching Accreditation Scheme.
- Note: The Coaches' Code of Conduct is to be signed and followed as part of the accreditation requirements of the AFL. Coaches should be aware that, in addition to the Code, they may be obliged to sign a further code of conduct/ethics with their club and/or league.

B.3 Parents/Spectators

- Remember children play sport for their enjoyment, not yours.
- Encourage children to participate, do not force participation upon them.
- Focus on your children's efforts and self-esteem rather than whether they win or lose
- Encourage children to always participate according to the rules.
- Never ridicule or yell at children for making a mistake or if their team loses a game.
- Remember children learn best by example – applaud the efforts of all players in both teams.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Show appreciation of volunteer coaches, officials and administrators – without whom your child could not participate.
- Respect umpires' decisions and teach children to do likewise.
- Remember smoking and the consumption of alcohol is unacceptable at junior sport.

B.4 Administration/Officials

- Ensure equal participation for all: provide equal opportunities for all regardless of ability, size, shape, sex, age, disability or ethnic origin.
- Suitability of program: ensure that the rules, equipment, length of games and training schedules take into consideration the age, ability and maturity level of the participants.
- Ensure adequate supervision: adequate supervision must be provided by qualified and competent coaches and officials capable of developing appropriate sports behaviour and skills.
- Stress enjoyment: remember children participate for enjoyment. Play down the importance of rewards.
- Arrange adult education: develop improved standards of coaching and officiating with an emphasis on appropriate behaviour and skills.
- Promote fair play: ensure parents, coaches, officials, sponsors, physicians and participants understand their responsibilities regarding fair play.
- Modify to suit various levels: modify rules and regulations to match the skill level of participants and their needs.
- Promote respect for opponents: condemn unsporting behaviour.
- Maximise enjoyment: publicly encourage rule changes that will reinforce the principle of participating for fun and enjoyment.
- Keep up to date: make a personal commitment to keep informed of the sound principles of administering recommended football programs for junior players.
- Schedules, practice activities and involvement in competition.
- Where I am responsible for players in the 5-18-year-old age group, I will strive to ensure that all players gain equal playing time. I will avoid overplaying the talented players, aiming to maximise participation, learning and enjoyment for all players regardless of ability.
- I will stress and monitor safety always.
- In recognising the significance of injury and sickness, I will seek and follow the physician's advice concerning the return of injured or ill players to training.
- I will endeavour to keep informed regarding sound principles of coaching and skill development, and of factors relating to the welfare of my players.
- I will at all times display and teach appropriate sporting behaviour, ensuring that players understand and practise fair play.
- I will display and foster respect for umpires, opponents, coaches, administrators, other officials, parents and spectators.
- I will ensure that players are involved in a positive environment where skill learning and development are priorities and not overshadowed by a desire to win.
- I reject the use of performance-enhancing substances in sport and will abide by the guidelines set forth in the AFL Anti-Doping and Illicit Drugs policies.

Further information and resources are available through the AFL Kids First program and also at www.playbytherules.net.au

PART C – WORKING WITH CHILDREN CHECK REQUIREMENTS

Criminal History Assessment/Managing criminal history information of people working with children in South Australia

A criminal history assessment is a decision about whether a person is suitable to work with children based on the person's criminal history (if any) and the assessed risk to children who access services from the organisation.

The South Australian Women's League may conduct a criminal history assessment themselves or apply to a third party (such as the Department for Families and Communities' Screening Unit) for an assessment and letter of clearance.

C.1 Identifying affected positions

The South Australian Women's League undertakes to follow the standards issued by the Department for Families and Communities when conducting criminal history assessments. This includes conducting Criminal History Assessments on any person who is working or volunteering with children. Including, but not limited to;

- People who have regular contact with children and are not directly supervised at all times; or
- People who work in close proximity to children on a regular basis and are not directly supervised at all times; or
- Those who supervise or manage persons who:
 - Have regular contact with children or
 - Work in close proximity to children on a regular basis; or
 - Have access to records relating to children in connection with child protection services, education services, health services, disability services and court orders and proceedings.

The South Australian Women's League will conduct an assessment of the criminal history of every person who is, or will be, engaged to work with children in this organisation; its affiliated associations and clubs (unless an exemption applies refer to C7 for exemptions).

As a first step, the SAWFL has identified all individuals and positions within the League that involve working with children.

These positions are:

SAWFL

- All SAWFL Representative Coaching staff (full-time, part-time)
- All volunteers engaged by SAWFL including
 - Team Managers
 - Trainers
- All volunteers engaged by SAWFL clubs to assist in representative sides.
- Any other position deemed necessary, from time to time, by the SAWFL Board of Management

Affiliated League Clubs

- These positions are:
 - All Committee Members
 - All Coaches,
 - Assistant Coaches,
 - Team Managers,
 - Trainers,
 - and any other Match Day Official who fit one or more of the criteria as outlined Procedures

The South Australian Women's League may conduct these Criminal History Assessments internally. The applicant or person undertaking the check applies to the SA Police for a National Police Certificate (NPC). This NPC is then presented to the Member Protection Information Officer of the South Australian Women's League for assessment.

The SAWFL has set out the following policy and supporting procedures for obtaining criminal history reports.

Obtaining a National Police Certificate (NPC)

1. Volunteers to obtain application form from the SA Police website at <https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check>
2. The application must be completed online and then printed. This form cannot be saved.
3. Volunteers to go to a local police station or Justice of the Peace (JOP) with their NPC application form, photocopy of documents adding up to 100 points and the original documents to have their identity verified.
4. Once identity has been verified by the police or JOP, the volunteer is to lodge the NPC application and their verified photocopied 100 point documentation with the South Australian Women's Football League's Authorised Officer who will include the VOAN details on the application.
5. The South Australian Women's Football League's Authorised Officer sends the application to The Records Release Unit, SA Police.
6. SA Police will process the NPC application and post the NPC to the volunteer. Due to privacy laws the NPC can only be returned to the applicant, and no third parties.
7. The volunteer is to produce their NPC to the South Australian Women's Football League Child Safety Officer, who will conduct the criminal history assessment and record the NPC details on the Criminal History Register and return the NPC to the volunteer.

Staff & Volunteers – Existing & New

1. All new and existing staff, members and volunteers of the SAWFL, holding a prescribed position must obtain a National Police Certificate by making application to the South Australian Police (or present an appropriate document that is less than three years old).
2. On receipt of the NPC the original document must be presented to the SAWFL Authorised Officer.
3. The document will be assessed in accordance with standards C4 and C5 of this document and returned to the person as soon as practicable.
4. The criminal history assessment will be repeated every three years or as requested by the SANFL or SAWFL

C.2 Accepting “other evidence”

The South Australian Women's League will, in lieu of undertaking a criminal history screening check as set out in C2, accept the following forms of evidence (obtained within the last three years) to assess a person's suitability to work with children.

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
- A Letter of clearance to work with children from a CrimTrac accredited agency: Such as the DFC Screening Unit; Department of Education and Children's Services (DECS) or Catholic Education Office.
- An interstate working with children check, from: Queensland, Victoria or Western Australia.

Acceptance of any of these checks is subject to the person completing a 100-point check, to enable the South Australian Women's League to establish the true identity of the applicant.³

The South Australian Women's Football League may also at its discretion seek a statutory declaration for any *employee(s)* or *volunteer(s)*, including those who have been citizens or permanent residents of another country other than Australia since turning 18 years of age.

³ A 100-point check should include one primary document such as a Birth Certificate or International Travel Document (e.g. Current Passport) or Citizenship Certificate and must include one secondary document such as a Driver's Licence, employee identification card, Centrelink card or student identification card.

C.3 Assessing criminal history information

In the majority of cases, a person will have no criminal history. In these cases, the assessment will be successfully completed and no further action in respect to an assessment will be required.

The SANFL and the South Australian Women's League believe the following categories of criminal convictions present a *prima-facie risk of harm* to children.

No person will be considered suitable to be employed, contracted, hired, retained, accepted as a volunteer, or allowed to undertake prescribed functions for the South Australian Women's League or its associated clubs if he or she has been convicted of:

- murder or sexual assault
- violence in relation to a child
- an offence relating to child pornography
- an offence involving child prostitution
- a child abuse offence, for example criminal neglect.

The following offences potentially indicate unsuitability to undertake prescribed functions.

The SANFL and the South Australian Women's League believe that there can be a presumption that there is a risk of harm to children but further assessment is necessary before a decision to exclude a person can be made.

These types of criminal offences include:

- sexually-motivated offences
- violence offences/assault including any form of assault which has resulted in a sentence of imprisonment
- offences relating to cruelty to animals
- any other offences against a child (including drug offences).
- In addition, other criminal offences may be relevant to specific, prescribed functions, including: dishonesty offences, serious drug-related matters or serious traffic offences.

None of these offences will automatically preclude an individual from being engaged to undertake prescribed functions.

Any such person will be asked to make further application to the DFC Screening Unit for a more thorough assessment. This cost of this screening check to be met by the applicant.

The decision of this process will be deemed to be final and binding on all parties.

C.4 Ensuring procedural fairness if a person has a criminal history

Existing staff, members and volunteers

All existing staff, members and volunteers will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish before the assessment is conducted.

Prior to a decision being made, the South Australian Women's League will communicate to the applicant a pending decision not to employ or engage them because of their criminal history and the reasons for this decision.

Staff (who are also members of the South Australian Women's League, or its associated clubs), members and volunteers may request:

- that the final assessment be referred to the Screening Unit (if it has not already been done). This decision shall be final and binding.
- where this has already been done, to make an appeal under the process set out in Part D of this policy.
- To be advised of any other avenues of appeal (if applicable).

Existing employees who are not also members of the South Australian Women's League or its associated clubs may refer to the dispute resolution process set out by the relevant Enterprise Agreement or Industrial Award for dispute resolution.

New staff members and volunteers

New applicants for employment, membership and volunteer positions will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish before the assessment is conducted.

The South Australian Women's League will communicate to the applicant the decision not to employ or engage them or to accept their application for membership. They will not be provided with the reasons for this decision.

There will be no appeal to this decision.

C.5 Records management

The South Australian Women's League will take specific actions to store and record information obtained through conducting a criminal history assessment. This includes taking measures to ensure information is protected and confidentially stored and safeguards to protect against loss, unauthorised access, modification, disclosure or other misuse.

Criminal history information will not be retained once a decision has been made regarding the person's suitability to work with children. No criminal history information will be retained beyond three months.

The South Australian Women's League will retain the following information regarding their decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

The South Australian Women's League will retain appropriate records to demonstrate their compliance with their legal requirements. The criminal history register and criminal history assessment template (where applicable) will be used to record this information (see Part E).

C.6 Exemptions from the requirement to conduct criminal history assessments

In accordance with guidelines the SANFL and South Australian Women's Football League may exempt the following persons from the requirement to undertake a criminal history assessment, unless that person is also involved in a function or event conducted by the [Club] or its affiliated associations, which involves the care of children in overnight accommodation.

- A person who volunteers who is less than 18 years of age. These persons should instead complete a statutory declaration (template available at Attachment 7);
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month. These persons should instead complete a statutory declaration (template available at Attachment 7);
- A person occupying a position in which all work involving children is undertaken in the physical presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children;
- A person who undertakes, or a position that only involves, work that is primarily provided to adults or the community generally and is not provided to any child on an individual basis;
- An organisation that provides equipment, food or venues for children's parties or events but does not provide any other services to children;
- A person who has regular contact with a child as part of an employment relationship with that child (such as a person working alongside a child or supervising an employee who is a child);
- A person who is appointed as a police officer or is a registered teacher. (Police officers and teachers are already subject to comprehensive criminal history assessments as a prerequisite for employment).

PART D – COMPLAINT HANDLING PROCEDURES

D.1 Complaints Procedure

D.1.1 Overview

This procedure has been developed to ensure that complaints about inappropriate behaviour described in this policy are addressed sensitively, consistently, fairly and confidentially.

A complaint may be reported about an individual or group behaviour informally or formally. It may be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy.

Unresolved complaints at Club level should be reported to the South Australian Women's League.

D.1.2 Internal Procedure

Self Resolution

Self resolution may be appropriate where the alleged harasser or bully is oblivious to the impact of their behaviour towards the complainant. If the complainant feels it is appropriate they can attempt to resolve the issue directly with the alleged harasser, without the assistance of the SAWFL by speaking directly to the person/s involved and asking them to stop the offensive behaviour immediately.

Resolve the Complaint Informally

Informal assistance may be appropriate where the complainant is not sure how to handle the problem and wants to talk confidentially about the problem or the problem continues after the complainant has tried to approach the person/s involved. If this is the case, individual/s should talk with an appointed person of their Club.

Informal procedures that may be actioned by the appointed person of the club could include the following:

- provide possible options/methods for the complainant to resolve the problem and/or make a referral to an appropriate person to help the complainant resolve the problem eg: a mediator.
- explain how the South Australian Women's League complaints procedure works;
- act as a support person;
- privately speak with the alleged offender on behalf of the complainant
- inform the relevant government authorities and/or police if required by law to do so

Resolve the Complaint Formally

Formal procedures may be appropriate where informal procedures have been ineffective, the complaint involves serious and/or criminal allegations or the complainant wishes to make a formal complaint from the outset. Formal complaints can be lodged with the rights and responsibilities which are detailed below: South Australian women's League. Both parties involved in a formal complaint have a number of

Complainant's Rights	Respondent's Rights
<ul style="list-style-type: none">• Have the complaint investigated and if necessary conciliated• Have support/representation if requested• Express views and opinions without intimidation from others• Discontinue a complaint• Have the situations remedied• Privacy	<ul style="list-style-type: none">• Have natural justice• Not be discriminated against• Not be dismissed unfairly, harshly or unreasonably• Privacy• Have support/representation if requested• Not be defamed• Not be the subject of unfounded or malicious complaints

A formal procedure will be followed as appropriate for each individual complaint which may include one or more of the following steps:

- document full information from the complainant about the complaint and how they want it resolved;
- put the information received from the complainant to the person/people that the complaint is about and ask them to provide their side of the story;

- decide whether enough information has been obtained to determine whether the matter alleged in the complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session and/or referring the complaint to the police or other appropriate authority.

NB: Where a complaint relates to an allegation of child abuse the matter will immediately be referred to the police or relevant state government authority.

More detailed information on conducting internal investigations can be found at www.ausport.gov.au/ethics/policy.asp

Appeal Process

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome, or if the complainant believes it would be impossible to get an impartial resolution within their Club the complaint may be referred to the SAWFL for further consultation. If necessary an external agency such as The Equal Opportunity Commission may be contacted to assist with a resolution.

D.1.3 External Procedure

There may be a range of external options available depending on the nature of the complaint. In the case of harassment or discrimination advice can be sought from the State or Territory Equal Opportunity Commission without being obliged to make a formal complaint. In the case of more serious breaches such as child abuse, the police or relevant state government department responsible for issues of child welfare should be notified.

D.2 Process for dealing with members charged with, or under investigation for, a criminal offence

This process sets out the procedure that the South Australian Women's League will follow in the event that it becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence.

The paramount consideration is the rights, interests and wellbeing of children and their protection from harm.

D.2.1 Procedure

Risk Assessment

In the event that the South Australian Women's League becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence, the managing authority of SAWFL or senior appointed officers shall make a risk assessment of the risk of harm to children and consider taking protective action.

The risk assessment will:

- Be conducted in accordance with the guidelines and principles set out under Standard 5 of the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children;
- Recognise that an investigation or charge does not mean that the person is guilty and that the matter needs to be resolved through proper legal avenues;
- Consider all matters on an individual basis and include an assessment of all relevant circumstances;
- Provide the member an opportunity to make submissions on whether he or she had been charged with an offence warranting some action, and what action should be taken;
- Be made in accordance with the principles of natural justice and procedural fairness. Assessment procedures will be transparent, documented and consistently applied;
- Not compromise any police investigations or evidence.

Outcome

Where the outcome of the risk assessment is that protective action is necessary, the South Australian Women's League may:

- Control or supervise contact between the member and children
- Prevent contact between the member and children

- Remove the member from duties until the outcome of the investigation or charge is known;
- Take any other action that is necessary and reasonable in the circumstances.

Voluntary removal of member pending outcome of charge or investigation

Where the risk assessment determines that protective action is necessary against a member to safeguard and protect children, the South Australian Women's League will give the member the opportunity to voluntarily remove him or herself from activities until the outcome of the charge or investigation is known.

Resolution to suspend or remove member

In the event that the member will not voluntarily remove him or herself from activities until the outcome of the charge or investigation is known, the South Australian Women's League will put forward a resolution to the relevant committee to suspend or temporarily remove the member.

The outcome of the resolution will be recorded in the relevant committee's minutes and then implemented.

The outcome recorded in the committee minutes will not contain unnecessary information relating to the investigation or charge or identify (directly or indirectly) any junior members.

Glossary

Relevant criminal offence: means an offence that indicates a prima-facie risk of harm or that potentially indicates unsuitability to work with children.

Natural justice: means observing the following principles:

- people are entitled to be informed of allegations made against them
- all persons affected by a decision should be given the relevant information to enable an informed submission to be made to the decision-maker or person subsequently reviewing a decision
- during the review of a decision, all persons affected by a decision should have an opportunity to put their case, relevant arguments should be heard, and relevant information should be accessible to all parties
- decision-makers act fairly and impartially.

Offence that indicates a prima-facie risk of harm: has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Offence that potentially indicates unsuitability to work with children: Has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

Member: means a member of the South Australian Women's League.

Risk assessment: in the context of child protection 'refers to a process of evaluating the information received to reach a decision about the risk of harm a person may pose to children'. (*Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*).

PART E – ATTACHMENTS: REPORTING DOCUMENTS/FORMS

E.1 CRIMINAL HISTORY ASSESSMENT FORM

Name of person	
Description of position that the person occupies or will occupy	
The person provided, or consented to providing, acceptable evidence relating to their criminal history <i>(For example, an original or certificate copy report of his/her police certificate, a letter of clearance or an interstate working with children clearance.)</i> See Standards 1 – 4	<i>Yes Record type of evidence accepted (e.g. police certificate, letter of clearance, interstate clearance)</i> <i>No A person who does not provide evidence, or consent to evidence being obtained, is precluded from engagement to work with children in a prescribed position.</i>
Date evidence requested	
Date evidence received	
The police certificate or other evidence disclosed no convictions	
The police certificate or other evidence disclosed a conviction requiring further assessment	
The police certificate or other evidence disclosed convictions that indicate a prima-facie risk of harm See Standard 5	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>
The police certificate or other evidence disclosed convictions that potentially indicate a unsuitability to undertake prescribed functions See Standard 5	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>

Name of Assessor (s): _____

Position/Title: _____

Signature: _____

E.2 CRIMINAL HISTORY ASSESSMENT REGISTER

Name	Club/Position	Play By The Rules certificate sighted	Date of certificate or other evidence*	Date for renewal**

* This date refers to the day that the police certificate or other evidence was received and not the day the assessment was completed.

** The date of renewal is a maximum of three years from the day the police certificate or other evidence was issued.

E.3 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 <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"/> Employee <input type="checkbox"/> Official <input type="checkbox"/> Other	
Location/event of alleged issue		
Facts as stated by complainant		
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/Sexist <input type="checkbox"/> Selection Dispute <input type="checkbox"/> Coaching Methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality Clash <input type="checkbox"/> Verbal Abuse <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Bullying <input type="checkbox"/> Physical Abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair Decision <input type="checkbox"/> Other	
What they want to happen to fix issue		
What information provided		
What they are going to do now		

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to [*The Tribunal – refer PAWA Constitution*]

E.4 CONFIDENTIAL RECORD OF FORMAL COMPLAINT

Complainant's Name			Date Formal Complaint Received: / /																											
	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18																													
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"/> Employee (paid)	<input type="checkbox"/> Official																												
	<input type="checkbox"/> Other																													
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"/> Employee (paid)	<input type="checkbox"/> Official																												
	<input type="checkbox"/> Other																													
Location/event of alleged issue																														
Description of alleged issue																														
Nature of complaint (category/basis/grounds) Can tick more than one box	<table border="0"> <tr> <td><input type="checkbox"/> Harassment</td> <td>or</td> <td><input type="checkbox"/> Discrimination</td> </tr> <tr> <td><input type="checkbox"/> Sexual/Sexist</td> <td></td> <td><input type="checkbox"/> Selection Dispute</td> </tr> <tr> <td><input type="checkbox"/> Coaching Methods</td> <td></td> <td><input type="checkbox"/> Sexuality</td> </tr> <tr> <td><input type="checkbox"/> Personality Clash</td> <td></td> <td><input type="checkbox"/> Verbal Abuse</td> </tr> <tr> <td><input type="checkbox"/> Race</td> <td></td> <td><input type="checkbox"/> Religion</td> </tr> <tr> <td><input type="checkbox"/> Bullying</td> <td></td> <td><input type="checkbox"/> Physical Abuse</td> </tr> <tr> <td><input type="checkbox"/> Disability</td> <td></td> <td><input type="checkbox"/> Victimisation</td> </tr> <tr> <td><input type="checkbox"/> Pregnancy</td> <td></td> <td><input type="checkbox"/> Child Abuse</td> </tr> <tr> <td><input type="checkbox"/> Unfair Decision</td> <td></td> <td><input type="checkbox"/> Other</td> </tr> </table>			<input type="checkbox"/> Harassment	or	<input type="checkbox"/> Discrimination	<input type="checkbox"/> Sexual/Sexist		<input type="checkbox"/> Selection Dispute	<input type="checkbox"/> Coaching Methods		<input type="checkbox"/> Sexuality	<input type="checkbox"/> Personality Clash		<input type="checkbox"/> Verbal Abuse	<input type="checkbox"/> Race		<input type="checkbox"/> Religion	<input type="checkbox"/> Bullying		<input type="checkbox"/> Physical Abuse	<input type="checkbox"/> Disability		<input type="checkbox"/> Victimisation	<input type="checkbox"/> Pregnancy		<input type="checkbox"/> Child Abuse	<input type="checkbox"/> Unfair Decision		<input type="checkbox"/> Other
<input type="checkbox"/> Harassment	or	<input type="checkbox"/> Discrimination																												
<input type="checkbox"/> Sexual/Sexist		<input type="checkbox"/> Selection Dispute																												
<input type="checkbox"/> Coaching Methods		<input type="checkbox"/> Sexuality																												
<input type="checkbox"/> Personality Clash		<input type="checkbox"/> Verbal Abuse																												
<input type="checkbox"/> Race		<input type="checkbox"/> Religion																												
<input type="checkbox"/> Bullying		<input type="checkbox"/> Physical Abuse																												
<input type="checkbox"/> Disability		<input type="checkbox"/> Victimisation																												
<input type="checkbox"/> Pregnancy		<input type="checkbox"/> Child Abuse																												
<input type="checkbox"/> Unfair Decision		<input type="checkbox"/> Other																												

Methods (if any) of attempted informal resolution		
Formal resolution procedures followed (outline)		
If investigated:		
Finding		
If went to Tribunal:		
Decision		
Action Recommended		
If mediated:		
Date of mediation		
Were both parties present?		
Terms of agreement		
Any other action taken?		
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 place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).

E.5 CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Complainant's Name			Date Formal Complaint Received: / /
Role/Status in sport			
Child's Name		Age	
Child's Address			
Name of person complained about (respondent)			
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"/> Employee (paid)	<input type="checkbox"/> Official	
	<input type="checkbox"/> Other		
Witnesses (if more than 3 witnesses, attach details to this form)	Name		
	Contact Details:		
	Name:		
	Contact Details:		
	Name:		
	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:		

Government Agency Contacted	Who:	
	When:	
	Advice Provided:	
CEO 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 (if not a child)	Complainant:	

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

E.6 STATUTORY DECLARATION TEMPLATE

STATUTORY DECLARATION

State of South Australia - Oaths Act 1936

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

do solemnly and sincerely declare that:

1. I have never been under investigation for sexual offences, offences related to children, acts of violence or illicit drugs.
2. I am not currently under any investigation for sexual offences, offences related to children, acts of violence or illicit drugs.
3. I do not have any criminal charge pending before the courts.
4. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children, acts of violence or illicit drugs.
5. 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 illicit drugs.
6. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 5 above has changed.
8. And I make this declaration conscientiously believing the same to be true, and by virtue of this provisions of the Oaths Act, 1936.

Declared at in the State of South Australia,

this day of 20.....

Before me,

.....
Signature of person making this declaration
[to be signed in front of an Authorised Witness]

.....
Signature of Authorised Witness

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: