



LACROSSE AUSTRALIA (LA)  
MEMBER PROTECTION\* POLICY / BY-LAWS

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## PREFACE

This Member Protection Policy / By-Laws have been adopted by Lacrosse Australia (LA), to formalise for all Members and other interested parties the appropriate practices that must be followed. This ethos is believed to have been inherent in our game since it was first played in Australia in 1876.

The Australian Lacrosse Association Ltd is committed to providing a safe and enjoyable environment for everyone and particularly children who participate in the game of lacrosse in Australia. It must be free from harassment, discrimination and abuse for everyone and it will promote respectful and positive behaviour and values.

This policy provides a code of behaviour forming the basis of appropriate and ethical behaviour which is expected, and required, of everyone who participates in the sport of lacrosse in Australia.

This policy is an essential part of Australian Lacrosse Association's proactive and preventative approach to tackling inappropriate behaviour. The Australian Lacrosse Association Ltd is committed to ensuring that everyone associated with the sport of lacrosse complies with the policy.

A handwritten signature in black ink, appearing to read 'Glenn Morley', with a large, stylized flourish at the end.

Glenn Morley

President

Australian Lacrosse Association Ltd.

Dated at 30 March 2019

Version	Date reviewed	Date endorsed	Content reviewed/purpose
<i>One</i>	<i>Jun-07</i>	<i>Jun-07</i>	<i>In line with ASC/legal suggestions/ requirements and ALA Constitution and By-Laws</i>
<i>Two</i>	<i>Nov-09</i>	<i>Dec-09</i>	<i>In line with ASC/legal suggestions/ requirements and ALA Constitution and By-Laws</i>
<i>Three</i>	<i>Jun-12</i>	<i>2-Aug-12</i>	<i>In line with ASC/legal suggestions/ requirements and ALA Constitution and By-Laws</i>
<i>Four</i>	<i>Dec-13</i>	<i>Jan-14</i>	<i>In line with ASC/legal suggestions/ requirements and ALA Constitution and By-Laws</i>
<i>Five</i>	<i>Jul-15</i>	<i>July-15</i>	<i>In line with ASC/legal suggestions/requirements and ALA Constitution and By-Laws</i>
<i>Six</i>	<i>Jan-19</i>	<i>April-19</i>	<i>In line with Sport Australia /legal suggestions/requirements and ALA Constitution and By-Laws</i>
<i>Seven</i>	<i>July-21</i>	<i>July-21</i>	<i>To update with Lacrosse Australia new trading brand Lacrosse Australia.</i>

## PART A: NATIONAL MEMBER PROTECTION POLICY

### 1. Introduction

LA believes its charter covers the fundamentals of sporting core values and ethical dealings. Accordingly the LA adopts the full complement of options available from guidance by Sport Australia.

LA Vision & Mission statements are provided below as they provide the framework which then encompasses the Member Protection Policy.

Vision: Lacrosse is recognised and culturally-embedded in Australian sports from a grassroots level, thriving at all age groups and skill levels in addition to coaching and officiating.

Mission: LA provides leadership to the community through the delivery of quality services, programs and support in order to grow lacrosse at all levels, develop a sustainable membership base and achieve continued international success.

### 2. Purpose of this policy

This LA Member Protection Policy / By-Laws (“policy”) aims to assist LA to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The attachments to this policy describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows LA to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

This policy has been endorsed by *the LA Board* and has been *incorporated into our constituent document, rules, regulations and/or by-laws*. The policy starts on *1 of August 2021* and will operate until replaced.

The current policy and its attachments can be obtained from our website at:

[www.lacrosse.com.au](http://www.lacrosse.com.au)

*LA has requested that this policy is supported by Member Protection Policies that have been adopted and implemented by our member associations and affiliated clubs.*

### 3 Who is bound by this policy

This policy should apply to as many persons as possible who are involved with the activities of LA, whether they are in a paid or unpaid/voluntary capacity:

- 3.1 persons appointed or elected to *the* LA board, committees and sub-committees
- 3.2 employees of LA;
- 3.3 members of the LA Executive;
- 3.4 support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- 3.5 coaches and assistant coaches;
- 3.7 referees, umpires and other officials;
- 3.8 members, including life members of LA;
- 3.9 athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by LA; and
- 3.10 *any other person to whom the policy may apply.*

*This policy will continue to apply to a person even after he or she has stopped their association or employment with LA, if disciplinary action against that person has begun.*

It is also intended this policy will apply to:

- 3.12 member associations
- 3.13 affiliated clubs and associated organisations.
- 3.14 any other associations, such as Coaches Association, Players Association, Officials Association, etc.

#### 4. Organisational responsibilities

*LA Member Associations must:*

- 4.1 adopt, implement and comply with this policy
- 4.2 ensure that this policy is enforceable
- 4.3 publish, distribute and promote this policy and the consequences of any breaches of the policy
- 4.4 promote and model appropriate standards of behaviour at all times
- 4.5 deal with any complaints made under this policy in an appropriate manner
- 4.6 deal with any breaches of this policy in an appropriate manner
- 4.7 recognise and enforce any penalty imposed under this policy
- 4.8 ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 4.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behavior e.g. Member Protection Information Officers
- 4.10 monitor and review this policy at least annually.

#### 5. Individual responsibilities

Individuals bound by this policy must:

- 5.1 make themselves aware of the contents of this policy;
- 5.2 comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy ;
- 5.3 consent to the screening requirements set out in this policy, and any state/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 or where otherwise required by law;
- 5.4 place the safety and welfare of children above other considerations;
- 5.5 be accountable for their behaviour: and,
- 5.6 follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- 5.7 comply with any decisions and/or disciplinary measures imposed under this policy.

#### 6. Position statements

##### 6.1 Child protection

LA 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.

6.1.1 Identify and analyse risk of harm

We will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

6.1.2 Develop codes of behaviour

We will develop and promote a code of behaviour that sets out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children.

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behavior. (Refer to the attachments in Part B of this policy.)

6.1.3 Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation 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.

We will ensure that Working with Children Checks 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. (Refer to the attachments in Part C of this policy.)

6.1.4 Support, train, supervise and enhance performance

We will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our sport.

6.1.5: Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport.

6.1.6: Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers 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. (Refer to the attachments in Part E of this policy.)

Further, 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 to us. (Refer to the attachments in Part D of this policy.)

6.2 Taking images of children

There is a risk that Images of children may be used inappropriately or illegally. LA 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. They should also make sure the parent/guardian understands how 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 used in connection with our sport.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

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

### 6.3 Anti-discrimination and harassment

LA is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

#### 6.3.1 Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by state or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the "Definitions" set out in the Dictionary of Terms.

Discrimination can be either direct or indirect.

- Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably 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 purposes of determining discrimination, the offender's awareness and motive are irrelevant.

#### 6.3.2 Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

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.

### 6.3.3 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary of Terms *[see clause 10]*.

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

### 6.4 Intimate relationships

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

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

We take the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport’s 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 or official and the athlete.

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

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

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

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

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from the Member Protection Information Officer (MPIO) or the LA President to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

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

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from the Member Protection Information Officer (MPIO) or the LA President. Our complaints procedure is outlined in Part D of this policy.

## 6.5 Pregnancy

LA is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

LA will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is 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. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with LA.

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant 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 believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. (Refer to the attachments in Part D of this policy.)

## 6.6 Gender identity

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 trans, transgender and gender diverse.

### 6.6.1 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. (See definition in Dictionary of terms).

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

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. (Refer to the attachments in Part D of this policy.)

We expect all people bound by this policy to act with sensitivity when a person is undergoing gender transition/affirmation.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint.

#### 6.6.2 Participation in sport

LA recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

LA 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.

#### 6.6.3. 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 Dictionary of terms).

LA 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.

#### 6.7 Responsible service and consumption of alcohol

LA is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that state associations and member clubs follow 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 be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

*Further guidance on developing an Alcohol Policy is available at: [www.playbytherules.net.au/resources/templates](http://www.playbytherules.net.au/resources/templates)*

#### 6.8 Smoke-free environment

LA is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

In general, our policy is that:

- 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; and
- coaches, officials, trainers, volunteers and players will refrain from smoking while they are involved in an official capacity in our sport, both on and off the field.

#### 6.9 Bullying

LA is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable in our sport.

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 rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. 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. LA will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, 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.

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. (Refer to the attachments in Part D of this policy.)

#### 6.10 Social networking

LA acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- 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 contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

*Further guidance on developing a Communications Policy is available at: [www.playbytherules.net.au/resources/templates](http://www.playbytherules.net.au/resources/templates)*

## 7. Complaints procedures

### 7.1 Handling complaints

LA aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

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 discriminated against, harassed, bullied or there has been any other breach of this policy.

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
- 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 the state and club level, should be dealt with by the national body.

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the Member Protection Information Officer (MPIO) or the LA President should consider whether that is an appropriate way to handle the particular complaint. 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 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.

#### 7.2 Vexatious complaints and victimisation

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

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person 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 Member Protection Information Officer (MPIO) or the LA President considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the appropriately constituted Tribunal for review and appropriate action, including possible disciplinary action against the complainant.

#### 7.3 Mediation

LA 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.

If a complainant wishes to resolve the complaint with the help of a mediator, the Member Protection Information Officer (MPIO) or the LA President will, in consultation with the complainant, arrange for an independent mediator where possible, an example of an independent mediator is the National Tribunal for Sport.

LA will not allow lawyers to participate in the mediation process.

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

#### 7.4 Tribunals

In accordance with LA rules a Tribunal may be convened to hear a proceeding:

- referred to it by MPIO or the LA President;
- referred to it or escalated by a state association because of the serious nature of the complaint, because it was unable to be resolved at the state level or because the policy of the state association directs it to be;
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment [D4].

A respondent may 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 [D4].

Every organisation 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?

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:

- 8.1 “Bringing lacrosse and/or any of the Governing Bodies into disrepute, or acting in a manner likely to bring lacrosse and/or any of the Governing Bodies into disrepute;”
- 8.2 breaching the codes of behaviour (see Part B of this policy);
- 8.3 failing to follow LA policies (including this policy) and our procedures for the protection, safety and well-being of children;
- 8.4 discriminating against, harassing or bullying (including cyber-bullying) any person;
- 8.5 victimising another person for making or supporting a complaint;
- 8.6 engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- 8.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.8 disclosing to any unauthorised person or organisation any LA information that is of a private, confidential or privileged nature;
- 8.9 making a complaint that they know to be untrue, vexatious, malicious or improper;
- 8.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- 8.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary measures

LA 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 consistent with any contractual and employment rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with our constituent documents, by-laws, this policy and/or the rules of the sport.

9.1 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.

- 9.1.1 a direction that the individual make a verbal and/or written apology;
- 9.1.2 a written warning;
- 9.1.3 a direction that the individual attend counselling to address their behaviour;
- 9.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the LA;
- 9.1.5 a demotion or transfer of the individual to another location, role or activity;

- 9.1.6 a suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.7 termination of the individual's membership, appointment or engagement;
- 9.1.8 a recommendation that LA terminate the individual's membership, appointment or engagement;
- 9.1.9 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;
- 9.1.10 a fine;
- 9.1.11 any other form of discipline that Tribunal and/or the LA President considers appropriate.

## 9.2 Organisation

If a finding is made that a Member Association has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the Tribunal and/or the LA President.

- 9.2.1 a written warning;
- 9.2.2 a fine;
- 9.2.3 a direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
- 9.2.4 a direction that any funding granted or given to it by the LA cease from a specified date;
- 9.2.5 a direction that the LA cease to sanction events held by or under the auspices of that organisation;
- 9.2.6 a recommendation to LA that its membership of the LA be suspended or terminated in accordance with the relevant constitution or rules;
- 9.2.7 any other form of discipline that the national body or peak organisation considers reasonable and appropriate.

## 9.3 Factors to consider

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

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action
- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy)
- any other mitigating circumstances

## 10. Dictionary of terms

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from

the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

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

Affiliated club means club affiliated with an LA Member Association.

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, 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).
- 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.

Complainant means a person making a complaint.

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

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 include:

- 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 player is overlooked for team selection 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 player is harassed when other players refuse to call her by her female name.
- **Homosexuality:** An athlete is ostracised from her/his team after it becomes known that she/he is a gay.
- **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 her/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 personal characteristic protected by law (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, and includes electronic cyber communication.

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 boys and girls 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 or organisation appointed to mediate Complaints.

Member means an LA affiliated Member Association

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

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.

Policy, policy and this policy means this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of conduct (or behaviour) means standards of conduct required of certain roles (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 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 any complaint including 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 B: CODES OF BEHAVIOUR

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We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behavior by players/athletes, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- 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.

Attachment B1:

AUSTRALIAN LACROSSE ASSOCIATION LIMITED  
POLICY DOCUMENT

DIRECTOR'S CODE OF CONDUCT

I ..... (Name), as an LA Director shall:

- ❖ Acknowledge Fiduciary Duty to LA and all stake-holders
- ❖ Acknowledge to act in good faith and in the best interests of the Association
- ❖ Commit to act with care and diligence
- ❖ Undertake to disclose all areas of conflict of interest
- ❖ Undertake to study and understand all financial and key reports, and not seek protection under the claim of Ignorance of the financial standing of the Association
- ❖ Endeavor to attend all meetings. If unable to attend provide written input so opinion can be tabled
- ❖ Undertake to circulate meeting papers no later than five (5) working days prior to an LA meeting
- ❖ Undertake to study all papers prior to Board meeting so balanced decisions can be made, and meetings do not revert to research and discussion
- ❖ Commit to serve on committees and discharge duties in a timely and efficient manner
- ❖ Undertake to treat each other with courtesy and respect
- ❖ Uphold confidentiality of all Board meetings and Board related matters
- ❖ Act as an ambassador of LA and not bring the Association, the sport, or fellow Board members, into disrepute
- ❖ Support all Board decisions regardless of own personal view
- ❖ Comply with the Australian Institute of Company Director's Code of Conduct

Undertake to LA and fellow Directors to discharge my responsibilities as a Director of LA in accordance with the Code of Conduct.

I ..... (Signature)

Being a Board Director of LA confirm that I have read and understood the above, and have an understanding of the Australian Institute of Company Director's Code of Conduct. (reference document – [www.companydirectors.com.au](http://www.companydirectors.com.au))

Attachment B2:

AUSTRALIAN REPRESENTATIVE TEAM  
CODE OF CONDUCT

The following Code of Conduct is to be adhered to unconditionally by all athletes and team personnel who are part of an Australian representative team.

I .....being a member of .....  
(Please print)

Agree to ensure that I will –

- Represent the LA, my country and my teammates in a positive manner at all times.
- Not bring the sport of lacrosse into disrepute
- Uphold the responsibilities, obligations and teamwork associated with this Australian Representative Team
- Conduct myself in a safe, responsible and inclusive manner
- Show respect for fellow athletes and team personnel
- Not exhibit or engage in any violent, offensive or abusive behaviour
- Not exhibit or engage in any sexual harassment or intimidation  
le. No photos or videos to be taken where there is any possibility that a person maybe changing
- Promote equal opportunity for my teammates to participate and develop to their full potential
- Adhere to the Team Policy regarding alcohol consumption
- Participate in all training sessions as reasonably determined by Team Personnel
- As a player, under the “age of consent” acknowledge that I am under the responsibility of the Team Manager, while participating in any Squad / Team activity including, training session, camp or event. Failure to comply with instructions or direction of the Team Manager, may result in censure or penalty or ceasing to continue with the Team/Squad Program.
- Comply with all relevant LA Policies, including but not limited to the Member Protection Policy, Anti Doping Policy and High Performance Policy

I have read the above Code of Conduct and I understand that it is my responsibility to conduct myself in an appropriate manner, and that should I breach the Code of Conduct, there are possible ramifications.

Athlete / Team Personnel: \_\_\_\_\_ Date: \_\_\_\_\_  
(signature)

Witness: \_\_\_\_\_  
(print name)

Witness: \_\_\_\_\_ Date: \_\_\_\_\_  
(signature)

Parent/Guardian Name: \_\_\_\_\_  
(please print)

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
(Parent/Guardian Signature if under 18 years of age)

Attachment B3:

GENERAL CODES OF CONDUCT

The following is to be adhered to unconditionally as member of LA, a Member Association (MA) or an affiliated club or a person required to comply with LA's Member Protection Policy that applies to all LA competitions.

The following requirements must be met in regard to your conduct during any activity held or sanctioned by LA, an MA or an affiliated club and in any role you hold within LA, a MA or an affiliated club:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealings with others.
3. Be professional in, and accept responsibility for, your actions.
4. Make a commitment to providing quality service.
5. Be aware of, and maintain an uncompromising adhesion to LA's standards, rules, regulations and policies.
6. Operate within the rules of the sport including national and international guidelines which govern LA, MAs and affiliated clubs.
7. Do not use your involvement with LA, an MA or an affiliated club to promote your own beliefs, behaviours or practices where these are inconsistent with those of LA, a MA or an affiliated club.
8. 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.
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
10. Refrain from any form of harassment of others.
11. Refrain from any behaviour that may bring LA, a MA or an affiliated club into disrepute.
12. Provide a safe environment for the conduct of the activity.
13. Show concern and caution towards others who may be sick or injured.
14. Be a positive role model.
15. Understand the repercussions if you breach, or are aware of any breaches of, this code of conduct.

Attachment B4:

COACH CODE OF CONDUCT

In addition to LA's General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by LA, an MA or an affiliated club and in your role as a coach appointed by LA, an MA or an affiliated club:

1. Do not tolerate acts of aggression.
2. Provide feedback to players and other participants in a manner sensitive to their needs. Avoid overly negative feedback.
3. Recognise players' rights to consult with other coaches and advisers. Co-operate fully with other specialists (for example, sports scientists, doctors and physiotherapists).
4. 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.
5. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
6. Involve the players in decisions that affect them.
7. Encourage players to respect one another and to expect respect for their worth as individuals regardless of their level of play.
8. Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the players.
9. Ensure any physical contact with players is appropriate to the situation and necessary for the player's skill development.
10. 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.
11. Avoid situations with your players that could be construed as compromising.
12. Actively discourage the use of performance enhancing drugs, and the use of alcohol, tobacco and illegal substances.
13. Do not exploit any coaching relationship to further personal, political or business interests at the expense of the best interest of your players.
14. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.
15. Know and abide by rules, regulations and standards, and encourage players to do likewise. Accept both the letter and the spirit of the rules.
16. Be honest and ensure that qualifications are not misrepresented.
17. Accept and follow an LA Director's directive when engaged with any LA team

Attachment B5:

OFFICIALS' CODE OF CONDUCT

In addition to LA's General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by LA, a MA or an affiliated club and in your role as an official appointed by LA, a MA or an affiliated club:

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

Attachment B6:

PLAYERS' CODE OF CONDUCT

In addition to LA's General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by LA, an MA or an affiliated club and in your role as a player/participant in any activity held by or under the auspices of LA, an MA or an affiliated club:

1. Respect the rights, dignity and worth of fellow players, coaches, officials and spectators.
2. Do not tolerate acts of aggression.
3. Respect the talent, potential and development of fellow players and competitors.
4. Care for and respect the equipment provided to you as part of your program.
5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
6. At all times avoid intimate relationships with your coach.
7. Conduct yourself in a professional manner relating to language, temper and punctuality.
8. Maintain high personal behaviour standards at all times.
9. Abide by the rules and respect the decision of the official, making all appeals through the formal process and respecting the final decision.
10. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
11. Co-operate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.

Attachment B7:

PARENT/GUARDIAN CODE OF CONDUCT

As a parent/guardian of a player/participant in any activity held by or under the auspices of LA, an MA or an affiliated club, you must meet the following requirements in regard to your conduct during any such activity or event:

1. Respect the rights, dignity and worth of others.
2. Remember that your child participates in sport for their own enjoyment, not yours.
3. Focus on your child's efforts and performance rather than winning or losing.
4. Never ridicule or yell at your child and other children for making a mistake or losing a competition.
5. Show appreciation for good performance and skilful plays by all players (including opposing players).
6. Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as your words and actions are an example.
7. Respect officials' decisions and teach children to do likewise.
8. Do not physically or verbally abuse or harass anyone associated with the sport (player, coach, umpire and so on).
9. Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
10. Be a positive role model.
11. Understand the repercussions if you breach, or are aware of any breaches of, this code of conduct.

Attachment 8:

SPECTATOR CODE OF CONDUCT

As a spectator in any activity held by or under the auspices of LA, an MA or an affiliated club, you must meet the following requirements in regard to your conduct during any such activity or event:

1. Respect the decision of officials and teach young people to do the same.
2. Never ridicule or scold a young player for making a mistake. Positive comments are motivational.
3. Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or players.
4. Show respect for your team's opponents. Without them there would be no game.
5. Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass players, coaches, officials or other spectators).
6. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

## PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

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We are committed to providing a safe environment for children. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Employment screening and Working with Children Checks can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, Tasmania and South Australia.

LA, including our member associations and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

## Attachment C1: SCREENING REQUIREMENTS

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

The LA will, and also requires state associations and clubs to:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration (MPD)* (Attachment C2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. LA will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to sign a consent form for a national police check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from the LA relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then LA will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under the LA policy. If unsatisfied, LA will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, LA will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.

**Attachment C2: MEMBER PROTECTION DECLARATION**

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The LA has a duty of care to all those associated with the sport at the national level and to the individuals and organisations to whom our LA Member Protection Policy applies. As a requirement of our LA Member Protection Policy, the LA must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

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

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

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children, acts of violence or drug related matters.
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 drug related matters. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
4. 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.
5. To my knowledge there is no other matter that the LA may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
6. I will notify the LA President or Director of Administration of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed.

Declared in the State/Territory of .....

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

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

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

Name:.....

Signature:.....

Date: .....

## Attachment C3: 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 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: [www.playbytherules.net](http://www.playbytherules.net).

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

Contact Access Canberra

Website: [https://www.accesscanberra.act.gov.au/app/answers/detail/a\\_id/1804/~/working-with-vulnerable-people-%28wwwvp%29-registration](https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/~/working-with-vulnerable-people-%28wwwvp%29-registration)

Phone: [13 22 81](tel:132281)

### New South Wales

Contact the Office of the Children's Guardian

Website: [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check)

Phone: 02 8219 3600

### Northern Territory

Contact the Northern Territory Screening Authority

Website: [www.nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance](http://www.nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance)

Phone: 1800 SAFE NT (1800 723 368)

### Queensland

Contact the Queensland Government Blue Card Services

Website: [www.bluecard.qld.gov.au](http://www.bluecard.qld.gov.au)

Phone: 1800 113 611

### South Australia

Contact the Department for Education and Child Development

Website: [www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe)

Phone : 08 8463 6468.

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

### Tasmania

Contact the Department of Justice

Website: [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)

Phone: 1300 13 55 13

### Victoria

Contact the Department of Justice

Website: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

Phone: 1300 652 879

### Western Australia

Contact the Department for Child Protection

Website: [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)

Phone: 1800 883 979

## PART D: COMPLAINT HANDLING PROCEDURES

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LA will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

LA will provide individuals with an informal and informal process to resolve the matter, along with access to an external complaint handling body, such as the National Sports Tribunal (NST), based on the nature of the complaint and our rules and regulations.

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint.

*If it is decided that an independent body is required to manage the complaint handling process LA will utilise the National Sports Tribunal. The decision to use an independent body will be made by the LA President and will be based on a case by case basis. The cost of utilising the National Sports Tribunal to manage the complaint handling process will be covered by:*

<i>Case/scenario</i>	<i>Body to cover the cost of utilizing the NST</i>
<i>If a complaint is brought against LA or LA personnel</i>	<i>LA</i>
<i>If a complaint is raised or escalated between two parties not involving LA.</i>	

## Attachment D1: Complaints procedure

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### INFORMAL APPROACHES

Step 1: Talk with the other person (where this is reasonable, safe and appropriate)

In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (respondent) if you feel able to do so.

Step 2: Contact the LA President/Member Protection Information Officer

Talk with the LA President or any appointed Member Protection Information Officer/s (MPIOs) if:

- the first step is not possible/reasonable;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- the problem continues after you tried to approach the person or people involved.

A list of our sport's Member Protection Information Officers (MPIOs) or equivalent can be found on the LA website [www.lacrosse.com.au](http://www.lacrosse.com.au).

The LA President or MPIO will:

- take confidential notes about your complaint;
- try to find out the facts of the problem;
- ask what outcome/how you want the problem resolved and if you need support;
- provide possible options for you to resolve the problem;
- act as a support person if you so wish;
- refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary;
- inform the relevant government authorities and/or police if required by law to do so;
- maintain confidentiality.

Step 3: Outcomes from initial contact

After talking with the LA President or 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 work out your own resolution (with or without a support person such as the LA President or MPIO); or
- to seek a mediated resolution with the help of a third person (such as a mediator); or
- to seek a formal approach.

### 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 LA President and/or MPIO, or
- approach a relevant external agency such as an anti-discrimination commission, for advice.

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

- they are the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint warrants a formal resolution procedure;
- to refer the complaint to mediation;
- to appoint a person to investigate (gather more information on) the complaint;
- to refer the complaint to a hearings tribunal;
- to refer the matter to the police or other appropriate authority; and/or

- to implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the LA President or MPIO will take into account:

- whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

If the LA President or MPIO is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- decide if they have 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 action may include disciplinary action in accordance with this policy.

#### Step 5: Investigation of the complaint

- A person appointed under Step 3 will conduct an investigation and provide a written report to the LA President and/or MPIO who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment D2 or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to a hearings tribunal, the hearing will be conducted in accordance with Attachment D5;
- If the complaint is referred to the police or other appropriate authority, the LA will use its best endeavours to provide all reasonable assistance required by the police or other authority.
- It must be made clear to all parties that the investigator is not seeking to resolve the matter, nor to decide whether any breach of this Policy has occurred, nor to impose any penalty. Any decision about Policy breach must be referred to an independent tribunal, and wherever possible, mediations should be conducted by an independent mediator.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by LA unless otherwise stated in the relevant Attachment.

#### Step 6: Reconsideration of initial outcome/investigation or appeal

If, under the formal complaint process, mediation is unsuccessful, you may request that the LA President or MPIO reconsider the complaint in accordance with Step 3.

You or the respondent(s) may be entitled to appeal. The grounds and process for appeals under this Policy are set out in Attachment C5.

#### Step 7: Documenting the resolution

The LA President and/or MPIO will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a state/club level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

## EXTERNAL APPROACHES

There are a range of other options available depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory anti-discrimination commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, it will investigate. If it appears that unlawful harassment or discrimination has occurred, the commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

You could also approach another external agency such as the police.

## Attachment D2: MEDIATION

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Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it. This attachment outlines the general procedure of mediation that will be followed by LA.

1. If mediation is chosen, the LA President and/or MPIO or other designated person will, under the direction of the LA and in consultation with the complainant and the respondent(s), arrange for a mediator.
2. The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
3. The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached which will be signed by them as their agreement.
5. If the complaint is not resolved by mediation, the complainant may:
  - a. Write to LA President and/or MPIO to request that the he/she consider the complaint in accordance with Step 3; *or*
  - b. Approach an external agency such as an anti-discrimination commission.
6. Mediation will not be recommended if:
  - a. The respondent has a completely different version of the events and will not deviate from these;
  - b. The complainant or respondent are unwilling to attempt mediation;
  - c. Due to the nature of the complaint, the relationship between the complainant and the respondent(s) or any other relevant factors, the complaint is not suitable for mediation; *or*
  - d. The matter involves proven serious allegations, regardless of the wishes of the Complainant.

## Attachment D3: INVESTIGATION PROCESS

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If an investigation needs to be conducted to gather more information the following steps will be followed:

1. LA will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
  - 1.1 Interview the complainant and record the interview in writing.
  - 1.2 Convey full details of the complaint to the respondent (s) so that they can respond.
  - 1.3 Interview the respondent to allow them to answer the complaint, and record the interview in writing.
  - 1.4 Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
  - 1.5 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.
  - 1.6 Provide a report to LA President documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. LA 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.
3. 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).
4. 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.

## Attachment D4: TRIBUNAL PROCEDURE

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The following will be followed by hearings tribunals established by the LA to hear national member protection related complaints

### Preparation for Tribunal Hearing

1. A Tribunal Panel will be constituted following the rules outlined in the LA Constitution, to hear a complaint that has been referred to it by the LA President and/or MPIO. The number of Tribunal members required to be present throughout the hearing will be a quorum of 3 being from different Member Associations.
2. The Tribunal members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the LA President relating to the complaint/allegations.
3. The Tribunal hearing will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare their case for the hearing.
4. The Tribunal Panel will not include any person who has any actual or perceived conflict of interest, or bias regarding the matter.
5. The LA President and/or 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. 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 LA activities and events, pending the decision of the Tribunal, including any available appeal process, unless the LA President and/or MPIO believes it is necessary to exclude the respondent(s) from all or some LA activities and events, after considering the nature of the complaint.

6. The LA President 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.

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.

7. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the LA President and/or MPIO as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.
8. It is preferable that the Tribunal include at least one person with knowledge or experience of the relevant laws/rules (e.g. Discrimination).

### Tribunal Hearing Procedure

9. The following people will be allowed to attend the Tribunal Hearing:
  - The Tribunal members;

- The respondent(s);
  - The complainant;
  - 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.
10. 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.
  11. 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.
  12. The Tribunal Chairperson will inform the LA President and/or MPIO of the need to reschedule, and the Tribunal Chairperson will organise for the Tribunal to be reconvened.
  13. 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.
  14. 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 (penalty).
  15. 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.
  16. 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.
  17. Both 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.
  18. 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.
  19. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
  20. If the Tribunal considers that at any time during the Tribunal Hearing there is any unreasonable or intimidatory behaviour from anyone, the Chairperson may deny further involvement of the person in the hearing.
  21. 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.
  22. All Tribunal decisions will be by majority vote.
  23. 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.
  24. Within 48 hours, the Tribunal Chairperson will:
    - Forward to the LA President and/or MPIO 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.

25. The Tribunal does not need to provide written reasons for its decision.

#### Appeals Procedure

26. A complainant or a respondent(s) who is not satisfied with the outcome of mediation or a Tribunal decision can lodge one appeal to the LA on one or more of the following bases:
- 26.1 That a denial of natural justice has occurred; or
  - 26.2 That the disciplinary measure(s) imposed is unjust and/or unreasonable.
  - 26.3 That the decision was not supported by the information/evidence provided to the Complaints Manager/Mediator/Tribunal;
27. A person wanting to appeal in accordance with clause 25 must lodge a letter setting out the basis for their appeal with the LA President within 7 days of the relevant decision. An appeal fee of \$500.00 shall be included with the letter of intention to appeal.
28. If the letter of appeal is not received by the LA President and/or 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 lapses.
29. The letter of appeal and notice of tribunal decision (Clause 24) will be forwarded to the LA President and/or MPIO to review and decide whether there are sufficient grounds for the appeal to proceed. The LA President and/or MPIO may invite any witnesses to the meeting it believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified with reasons. The appeal fee will be forfeited.
32. If the appeal is accepted an Appeal Tribunal with a new panel will be convened to rehear the complaint, and the appeal fee will be refunded.
33. The Tribunal Procedure shall be followed for the appeal.
34. The decision of an Appeal Tribunal will be final.

## PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

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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 (subject to disclosure required by law or permitted under this policy) 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 our organisation 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.

**ATTACHMENT E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT**

Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <span style="margin-left: 200px;"><input type="checkbox"/> Under 18</span>	
Role/status	<input type="checkbox"/> Administrator (volunteer) <span style="margin-left: 100px;"><input type="checkbox"/> Parent</span> <input type="checkbox"/> Athlete/player <span style="margin-left: 100px;"><input type="checkbox"/> Spectator</span> <input type="checkbox"/> Coach/Assistant Coach <span style="margin-left: 100px;"><input type="checkbox"/> Support Personnel</span> <input type="checkbox"/> Employee (paid) <span style="margin-left: 100px;"><input type="checkbox"/> Other</span> <input type="checkbox"/> Official .....	
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"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimization <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 and safe place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the LA President and/or MPIO

**Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT**

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received:    /    /
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"/> Other <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"/> Employee (paid) <input type="checkbox"/> Other <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 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"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <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 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: / /
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 forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).

**Attachment E3:**  
**PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE**

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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 [www.playbytherules.net.au](http://www.playbytherules.net.au).

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

All people working with LA in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

**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 Member Protection Information Officer and/or the LA President of LA so that he or she can manage the situation.

**Step 3: Protect the child and manage the situation**

- The Member Protection Information Officer and/or the LA President 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 LA.

- The Member Protection Information Officer and/or the LA President will consider what services may be most appropriate to support the child and his or her parent/s.
- The Member Protection Information Officer and/or the LA President will consider what support services may be appropriate for the alleged offender.
- The Member Protection Information Officer and/or the LA President 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 LA)
- Regardless of the findings of the police and/or child protection agency investigations, LA 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.
- Member Protection Information Officer and/or the LA President of LA 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, we will follow the procedures set out in Clause 9 of our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.



LA President and/or MPIO contacted	Who: When:
Police government and/or investigation agency	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
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.

