



TOOL 9 - Member protection policy

Expectations about behaviour are met

welcome

Geelong & District Golden Plains Kyokushin Inc

MEMBER PROTECTION POLICY

Version 1.2

Date updated 1/12/2012

Important note:

For this and other policies to be binding, they must:

- be formally incorporated into your Memorandum and Articles of Association or into your By-Laws as prescribed in your Constitution
- be referred to in membership forms e.g. the member agrees to be bound by the Constitution, Rules, Regulations and Policies of the Club (and/or the SSO, NSO), including its Member Protection Policy.

Members need to be advised of the policy's existence and to sign a membership form agreeing to be bound by the policy.

Please note that this policy only contains information relevant to clubs in Victoria. For other states, go to www.ausport.gov.au/supporting/ethics/complaint_management/member_protection_policy_template

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TOOL 9 - Member protection policy

Expectations about behaviour are met

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CONTENTS

POLICY

1. Introduction
2. Purpose of our policy
3. Who our policy applies to
4. Extent of our policy
5. Club responsibilities
6. Individual responsibilities
7. Protection of children
 - 7.1 Child protection
 - 7.2 Supervision
 - 7.3 Transportation
 - 7.4 Taking images of children
8. Anti-harassment, discrimination and bullying
9. Inclusive practices
 - 9.1 People with a disability
 - 9.2 People from diverse cultures
 - 9.3 Sexual and gender identity
 - 9.4 Pregnancy
 - 9.5 Girls playing in boys teams
10. Responding to complaints
 - 10.1 Complaints
 - 10.2 Complaint handling process
 - 10.3 Disciplinary measures
 - 10.4 Appeals

Attachment 1: Working with children check requirements

- 1.1. Member protection declaration
- 1.2. Working with children check requirements

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Member protection policy

1. Introduction

Mission statement

Geelong & District Golden Plains Kyokushin Inc aims to provide an opportunity for everyone to participate in martial arts training regardless of their gender, sexuality, age, level of ability or racial and cultural background, and enhance their health and wellbeing.

2. Purpose of our policy

The main objective of our member protection policy is to maintain responsible behaviour and ethical and informed decision-making by participants in this club. This policy outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

3. Who our policy applies to

Our policy applies to everyone involved in the club including committee members, administrators, coaches, officials (umpires/referees/judges), players, parents and spectators.

4. Extent of our policy

Our policy covers unfair decisions (eg, team selection), breaches of our code of behaviour and inappropriate behaviour that occurs at practice, at meetings, in the club rooms, at social events organised or sanctioned by the club (or our district, regional, state or national body), on away and overnight trips and any behaviour that brings, or is likely to bring our club or sport into disrepute. It also covers behaviour where there is suspicion of harm towards a child or young person.

5. Club responsibilities

We will:

- make any necessary amendments to our Constitution, rules or other policies to enable this policy to be enforceable;
- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from, and if necessary or appropriate, refer serious issues to the most appropriate body as identified by the Member protection Officer.

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- serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (eg, physical assault, sexual assault, child abuse) and any other issues that our organisation request to be referred to them (eg, conflict of interest).

6. Individual responsibilities

Everyone associated with our club must:

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

7. Protection of children

7.1 Child protection

Child abuse involves conduct which puts children at risk of harm and takes a number of different forms including:

- Physical abuse – eg, deliberately hurting (hitting, punching), providing alcohol or drugs, training that exceeds child's development or maturity
- Sexual abuse – eg, sexual acts or threats, inappropriate touching or conversations
- Emotional abuse – eg, ill-treating by threats, humiliation, intimidation
- Neglect – eg, not providing child with basic necessities (food, drink, clothing), failing to protect a child from foreseeable risk of harm or injury.

Abuse is usually against the law. We will take measures to protect children involved in our club from harm. We will do this by:

- Responding to all reports of abuse promptly, seriously and confidentially;
- Complying with state/territory child protection laws and working with children check requirements (see attachment 2);
- Carefully selecting and screening people over the age of 16 years who will have regular supervisory contact with children;
- Promoting and enforcing our codes of behaviour, particularly for roles associated with children;
- Making information about child protection available, particularly for roles associated with children; and
- Adopting practices that provide the maximum opportunity for a child safe environment.

Anyone who reasonably suspects that a child has been or is being abused must report their concerns to the Police or relevant government agency. Advise the Member protection Officer that you have reported your concerns.

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7.2 Supervision

Members under the age of 16 must be supervised at all times by a responsible adult. Our club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 16 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

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

7.3 Transportation

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

7.4 Taking Images of Children

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

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

8. Anti-harassment, discrimination and bullying

Our club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phones and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

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

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9. Inclusive practices

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

9.1 People with a disability

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

9.2 People from diverse cultures

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

9.3 Sexuality and gender identity

All people, regardless of their sexual orientation or gender identity, are welcome at our club. We strive to provide a safe, welcoming and inclusive environment for participation and will take prompt action if there is an allegation of homophobic behaviour or discrimination or harassment based on gender identity.

9.4 Pregnancy

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport. We recommend pregnant women consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

9.5 Girls playing in boys teams/boys playing in girls teams

If there is not a mixed and/or separate sex competition, our club will support girls playing in boys teams and boys playing in girls teams up until the age of 12 years. After this age our club may make a decision about the makeup of teams after looking at the nature of our sport, the position/s the individual is likely to play, the physical development and skill level of the individual and other players, other opportunities to compete, as well as any advice from our state sporting association or government agencies on our equal opportunity responsibilities.

10. Responding to complaints

10.1 Complaints

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

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

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Expectations about behaviour are met

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- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to a dispute resolution process as advised by the Member Protection Officer.

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

10.2 Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (eg, Chief Instructor, instructor/s, Member Protection Officer, Complaint Officer) will:

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

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

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

In situations where a complaint is referred to either an internal dispute resolution process or an external dispute resolution process, and an inquiry is conducted, the club will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on any internal dispute resolution process, or external dispute resolution process recommendations.

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

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10.3 Disciplinary measures

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

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

Possible measures that may be taken include:

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

10.4 Appeals

The complainant or respondent can lodge an appeal against any decision/s of, or disciplinary measures imposed against them, to Geelong & District Golden Plains Kyokushin Inc. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

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Expectations about behaviour are met

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Attachment 1.1: Member protection declaration

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

I _____ [name] of _____
_____ [address] (date of birth ____ / ____ / ____),

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 matters relating to the use and/or distribution of narcotics.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence or matters relating to the use and/or distribution of narcotics.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the Chief Instructor/Instructor of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the state/territory of _____

on ____ / ____ / ____ Signature _____

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

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

Name: _____

Signature: _____

Date: ____ / ____ / ____

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Attachment 1.2: Working with children check requirements

The following information was updated in April 2009. It is subject to change at any time. It is specific to Victoria only – see the Australian Sports Commission's website for other states' policies.

The Working with Children (WWC) Check creates a mandatory minimum checking standard across Victoria. The Working with Children Act 2005 requires that some people who work or volunteer in child-related work require a WWC Check. The check involves a national police records check and a review of relevant findings from prescribed professional disciplinary bodies (currently only the Victorian Institute of Teaching). There is an exemption for volunteers whose own children are involved in the particular activity; however they should still be required to complete the screening process.

A person who has no criminal or professional disciplinary history will be granted an assessment notice. This notice will entitle the person to undertake child-related work in Victoria and is valid for five years (unless revoked). A person deemed unsuitable to work or volunteer with children will be given a negative notice and cannot work in child-related work in Victoria.

For more information, go to www.justice.vic.gov.au/workingwithchildren or call 1300 652 879

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Reporting forms

Record of complaint

Name of person receiving complaint		Date: ___/___/___
Complainant's name		<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18
Complainant's contact details	Phone: Email:	
Complainant's role/status in club	<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 official: _____
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Person complained about role/status in club	<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 official: _____
Location/event of alleged issue		
Description of alleged issue		



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<p>Nature of complaint (category/basis/grounds)</p> <p>(you can tick more than one box)</p>	<input type="checkbox"/> Harassment <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: _____			
<p>What they want to happen to fix issue</p>			
<p>Information provided to them</p>			

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Resolution and/or action taken	
Follow-up action	

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