



NATIONAL MEMBER PROTECTION POLICY

Effective from

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Australian Government

Australian Sports Commission

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REVIEW HISTORY OF ACF MEMBER PROTECTION POLICY

One	November 2004	Template developed
Two	June 2005	QLD Child Protection requirements updated to reflect changes in legislation Information on WA Child Protection requirements added to reflect new legislation
Three	March 2007	Minor amendment to the Anti-discrimination and harassment Policy Statement (7.2) Second version of suggested wording for Sexual Relationships Policy Statement added (7.3) Suggested wording for Pregnancy Policy Statement added (7.4) Suggested wording for Gender Identity Policy Statement added (7.5) QLD and NSW Child Protection attachments updated to reflect changes in legislation (Part B) Information on SA and VIC Child Protection requirements added to reflect new legislation (Part B) Minor changes to wording to investigation of child abuse procedures (Part C)
Four	October 2009	Inclusion of clause on taking images of children Revised to cover amendments to child protection laws Reduction in/simplified wording in attachments Optional inclusion of duty statements Modified to provide national and club versions of the template Reference to cyber bullying included (6.3)
Five	October 2011	Sexual Relationships – 6.4 (non disciplinary action) adopted Boys In Calisthenic clause
Six	June 2012	Child Protection (6.1) Adjustments made to comply with legislation in the states Cyber Bullying/Safety (6.9) Social Networking Websites Policy (6.10) Part C Screening / Working With Children Check Requirements. Updated information for New South Wales, South Australia Part E Reporting Requirements and Documents. 'Reporting Requirements' section added for each State and Territory

PREFACE

It is unlawful to discriminate against people on the basis of an attribute or personal characteristic.

It is unlawful to harass and bully people.

It is therefore unlawful, let alone socially unacceptable to discriminate, harass or bully our calisthenics members. We will take all measures possible to create a safe and happy environment for all participants.

This Policy provides a code of conduct forming the basis of appropriate and ethical behaviour which everyone must abide by. This Policy confirms that the Australian Calisthenic Federation Inc is committed to the principles of The Essence of Australian Sport.

This Policy stipulates what compulsory actions all states and clubs must take including screening, legal requirements and complaint procedures if in the unfortunate event that these practices crept into our classes.

The policy also details the relevant child protection requirements for States having Child protection/working with children legislation.

The ideology of our members experiencing only happy, respectful and fulfilling experiences in calisthenics will be a forthright philosophy.

Lynne Hayward
President

October 2009

PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

1.1 Vision

Our vision is to facilitate continual growth of calisthenics within Australia.

1.2 Mission

Our mission is to nationally develop, promote, administer and co-ordinate in a professional and efficient manner the uniquely Australian sport of Calisthenics for the enjoyment and benefit of all.

1.3 Core Values

- Strive for excellence and innovation.
- Value the well being and diversity of our people.
- Be responsive to our stakeholders' needs.
- Listen and communicate openly.
- Be open and transparent.
- Be co operative and work as a team.
- Be objective, fair and nationally focused in our decision making.

2. Purpose of this policy

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

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

This policy has been endorsed by the ACF Council under Rule 37 of the ACF Constitution. The policy starts on 1 November 2009 and will operate until replaced. Copies of the current policy and its attachments can be obtained from the ACF website at <http://www.calisthenicsaustralia.org/> and from your State/Territory administration.

3. Who this Policy applies to

This Member Protection Policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity:

- 3.1 Individuals appointed or elected to boards of directors, executives and/or committees and sub-committees of ACF, Member States and Affiliated Clubs;
- 3.2 Employees, paid contractors and volunteers of ACF, Member States and Affiliated Clubs;
- 3.3 Members of the ACF Executive;
- 3.4 Support personnel (including, but not limited to, team managers and chaperones);
- 3.5 Coaches and assistant coaches who:
 - are appointed and/or employed by ACF, Member States and Affiliated Clubs (whether paid or unpaid);

- have an agreement (whether or not in writing) with ACF, a Member State or an Affiliated Club to coach at a facility owned/hired or managed by such organisation;
 - are registered members of a coaching association.
- 3.6 Participants who participate in calisthenics or who enter any competition, activity or events (including, but not limited to, camps and training sessions, etc) which are held or sanctioned by ACF, a Member State or an Affiliated Club;
- 3.7 Adjudicators and other competition officials including members of the Australian Society of Calisthenics Adjudicators;
- 3.8 Members, including life members of the ACF;
- 3.9 Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by ACF;
- 3.10 Any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy;

This policy also applies to the following associations:

- 3.11 Member associations;
- 3.12 Affiliated clubs and associated organisations;
- 3.13 Any other person or organisation that is a member of or affiliated to ACF, a Member State or an Affiliated Club (including Life Members);
- 3.14 Parents, guardians, spectators and sponsors to the full extent that is possible including where such persons or organisations have agreed, in writing or otherwise, to be bound by this Policy.

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

This Policy will continue to apply to a person, even after they have stopped their association or employment with ACF, a Member State or an Affiliated Club, if disciplinary action against that person has commenced.

4. Responsibilities of the Organisation

ACF, Member States and Affiliated Clubs must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Make such amendments to their Constitution, Rules or Policies necessary for this policy to be enforceable;
- 4.3 Publish, distribute and promote this policy and the consequences of breaches;
- 4.4 Promote and model appropriate standards of behaviour at all times;
- 4.5 Promptly deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- 4.6 Apply this policy consistently;
- 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 the persons and associations to whom this policy applies;

- 4.9 Use appropriately trained people to receive and manage complaints and allegations (Member Protection Information Officer/s (MPIOs))
- 4.10 Monitor and review this policy at least annually.

5. Individual Responsibilities

Individuals bound by this policy are responsible for:

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

6. Position Statements

6.1 Child Protection

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

6.1.1: Identify and Analyse Risk of Harm

ACF will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another child.

6.1.2: Develop Codes of Conduct for Adults and Children

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

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

6.1.3: Choose Suitable Employees and Volunteers

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

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

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

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

6.1.4: Support, Train, Supervise and Enhance Performance

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

6.1.5: Empower and Promote the Participation of Children In Decision-Making And Service Development

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

6.1.6: Report and Respond Appropriately To Suspected Abuse and Neglect

ACF will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

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

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

6.2 Taking Images of Children

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

If the ACF 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 pedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

We require our members, member associations and clubs to do likewise.

6.3 Anti-Discrimination and Harassment

The ACF opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at [clause 10], are against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C1 of this policy. This will explain what to do about the behaviour and how the ACF will deal with the problem.

6.4 Sexual Relationships

ACF takes the view that intimate relationships (whether or not of a sexual nature) between coaches and athletes, while not necessarily constituting harassment, can have harmful effects on the athlete, on other athletes and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between coaches and athletes in terms of authority, maturity, status, influence and dependence. Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, they should be avoided by coaches at all levels. In the event that an athlete attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions.

The coach or athlete may wish to approach the [ACFs MPIO or complaints officer or other designated person] if they feel harassed. Our complaints procedure is outlined in Attachment [C1] of this policy.

6.5 Pregnancy

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

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

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

6.6 Gender Identity

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

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

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

ACF is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person

intends competing at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by ACF.

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.

6.7 Physical Contact Policy

ACF has as one of its responsibilities to ensure the rights of participants in the sport of calisthenics are recognised and protected at all times with the use of appropriate physical contact with minors while participating in the sport of calisthenics. In a calisthenics environment there is a range of situations where physical contact between a coach and student occurs. Examples of physical contact within a Calisthenic environment include:

- the coach may manoeuvre the child or young person's body/torso/limbs to demonstrate correct positioning or use of equipment,
- assist in costume change or adjustment if parent(s)/carer(s) are not able to assist,
- be in close proximity to demonstrate the proper and safe use of equipment,
- place a hand on a student's body/torso/limbs to demonstrate proper placement or alignment or
- to guide and assist the completion of movement requiring strength.

Physical contact that is unnecessary or not consistent with a Coach(es) role in the instruction of Calisthenics should be avoided at all times. Description of physical contact to avoid is provided in the Dictionary at clause 10.

It is recommended that physical contact with a child or young person is only in circumstances where it is necessary for the purpose of instruction to assist in complying with competition requirements.

Adjusting of costumes should only occur in circumstances where the child or young person is unable to complete this task for themselves or parent(s) / carer(s) are not available and always seek permission before proceeding from the child. Always involve the parent(s)/carer(s) where possible in the personal care, toileting or changing of the child where appropriate and practical.

Physical contact may be necessary in an Emergency situation (injury, illness, medical condition) and where a distressed child or young person needs comfort.

Report any physical contact initiated by a child or young person that is sexual and/or inappropriate or harmful as soon as possible to enable the situation to be managed in the interests of the safety of the child, coaches and any other participant.

6.8 Males In Calisthenics

ACF will accommodate males up to and including 14 years in competition.

6.9 Cyber Bullying/Safety

Bullying and harassment in all forms is regarded by ACF as unacceptable in this sport. Given the emergence of new telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on twitter or facebook, for example, when the writer may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of

reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling club, league or peak sporting body.

6.10 Social Networking Websites Policy

ACF acknowledges the emergence of new technology and communication mediums (new media), and wishes to enable such new media to be used to benefit the sport and its participants, and to applaud achievements. This can occur due to the immediate nature of communication to a wide audience using channels such as facebook, twitter, and SMS. However, participants within the sport need to be very mindful of a few key matters that could lead to inappropriate use of new media, at times unintended, and at other times without a proper understanding that once comments are made or published, they are in public for a long time, and hard to take back (retract). Cautions ACF recommends:

- Do not include personal information of yourself or others in social media channels;
- Do not use offensive, provocative or hateful language;
- Use your best judgment – do not publish something that makes you the slightest bit uncomfortable, and never write/publish if you are feeling emotional or upset (or are intoxicated);
- Always ask for a person's permission before posting their picture on a social networking forum;
- Never comment on rumours, do not deny or affirm them or speculate about rumours; and
- Always use social network forums to add value and promote the sport in a positive way.

7. Complaints Procedures

7.1 Complaints

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

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

- behaviour or an incident that occurred at the state level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance; or
- behaviour or an incident that occurred at the club level or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

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

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

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

7.2 Vexatious Complaints & Victimisation

ACF aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation. If at any point in the complaints process the MPIO considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the relevant Member State Committee of Management or the ACF Committee of Management for appropriate action which may include disciplinary action against the complainant.

ACF will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint.

7.3 Mediation

ACF aims to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions.

Mediation may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the MPIO will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are not able to negotiate on behalf of the complainant and/or the respondent. More information on the mediation process is outlined in attachment D2.

7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by the ACF Committee of Management or the Committee of Management of a Member State;
- referred to it or escalated by a state association because of the serious nature of the complaint, or unable to be resolved at the state level, or the state policy directs it to be; and/or
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in attachment D5.

A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in attachment D5.

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

8. What is a Breach of this policy

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

- 8.1 Breaching the Codes of Behaviour (part B to this policy);
- 8.2 Failing to follow ACF policies (including this policy) and procedures for the protection, safety and welfare of children;
- 8.3 Discriminating against, harassing or bullying (including cyber bullying) any person;

- 8.4 Victimising another person for reporting a complaint;
- 8.5 Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- 8.6 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.7 Disclosing to any unauthorised person or organisation any ACF information that is of a private, confidential or privileged nature;
- 8.8 Making a complaint they **knew** to be untrue, vexatious, malicious or improper;
- 8.9 Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 8.10 Failing to comply with a direction given to the individual or organisation during the discipline process.

9. Disciplinary Measures

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

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

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, placings, records, achievements bestowed in any competitions, activities or events held or sanctioned by the ACF;
- 9.1.5 A suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.6 Termination of the individual's membership, appointment or engagement;
- 9.1.7 A recommendation that the ACF terminate the individual's membership, appointment or engagement;
- 9.1.8 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;
- 9.1.9 A fine;

9.1.10 Any other form of discipline that the MPIO considers appropriate.

9.2 Organisation

If a finding is made that ACF, Member States and Affiliated Clubs has breached its own or this national Member Protection Policy, one or more of the following forms of discipline may be imposed by the Tribunal:

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 ACF or a peak association cease from a specified date;

9.2.5 A direction that the ACF and peak associations cease to sanction events held by or under the auspices of that organisation;

9.2.6 A recommendation to ACF that its membership of the national body be suspended or terminated in accordance with the relevant constitution or rules; and/or

9.2.7 Any other form of discipline that the national body or peak organisation considers to be 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:

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

10. Dictionary

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. 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.

ACF means Australian Calisthenic Federation

Affiliated club means a club (whether incorporated, unincorporated or otherwise) which is a member of a Member State.

Appropriate Physical Contact relates to the manner and type of physical contact between Coach and students. Physical contact that should be avoided includes:

Physical contact that is not consistent with a Coach(es) role in the instruction of calisthenics

Contact with the genital, buttocks and breast areas

Any contact that would appear to a reasonable observer to have a sexual connotation e.g. kissing, stroking

Physical contact that is intended to cause pain or distress a child or young person e.g. physical punishment

Contact that is overly physical or aggressive e.g. wrestling, roughhousing

Physical contact that is unnecessary e.g. assisting with changing when a child does not require assistance

Physical contact that is initiated against the wishes of the child or young person, except if such contact is necessary to prevent injury to the child or young person or to others, physical restraint should be the last resort and only used to prevent harm to the child or young person or others

Physical contact with a child or young person in a private or unsupervised setting

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 7.1

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 are:

Age;

Disability;

Family/carer responsibilities;

Gender identity/transgender status;

Homosexuality and sexual orientation;

Irrelevant medical record;

Irrelevant criminal record;

Political belief/activity;

Pregnancy and breastfeeding;

Race;

Religious belief/activity;

Sex or gender;

Social origin;

Trade union membership/activity.

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

Examples of Discrimination

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

Breastfeeding: A member of the club who is breastfeeding a baby in the club rooms is asked to leave.

Disability: A junior player is overlooked because of mild epilepsy.

Family responsibilities: A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.

Gender Identity: A transgender contract worker is harassed when employees refuse to call her by her female name.

Homosexuality: An athlete is ostracised from her team after it becomes known that she is a lesbian.

Marital Status: A player is deliberately excluded from team activities and social functions because she is single

Pregnancy: A woman is dropped from a squad when she becomes pregnant.

Race: An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.

Sex: Specialist coaching is only offered to male players in a mixed team.

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

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

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

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

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

holding a competitive sporting activity for females only who are under 12 years of age or of any age where strength, stamina or physique is relevant or

not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

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

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

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

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

Member State has the same meaning as in the ACF Constitution.

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

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

both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;

all relevant submissions must be considered;

no person may judge their own case;

the decision maker/s must be unbiased, fair and just;

the penalties imposed must be fair.

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

This policy means this Member Protection Policy.

Respondent means the person who is being complained about.

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

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

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

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

Rape

Indecent assault

Sexual assault

Assault with intent to have sexual intercourse

Incest

Sexual penetration of child under the age of 16

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

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

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

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