



Eltham Redbacks Football Club
MEMBER PROTECTION POLICY

VERSION 2019
Adopted January 2019

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PREFACE

A Message from the President

Eltham Redbacks Football Club (ERFC) has a long and proud history of providing a safe, inclusive and enjoyable football environment to all members of our community.

Our Member Protection Policy, adopted in January 2019, aims to enshrine ERFC's core values, good reputation and positive behaviours and attitudes. It assists us in ensuring that every club member is treated with respect and dignity and is protected from abuse. It addresses our special duty of care towards children and demonstrates our commitment to their safety and protection. Ultimately, the club aims to establish an environment based on positive and respectful values and behaviour, free from discrimination, harassment and abuse.

Through this Policy, ERFC aims to ensure that everyone involved in our club's activities is aware of his or her rights and responsibilities. It provides Codes of Conduct that form the basis of appropriate and ethical conduct by which everyone must abide.

This Policy also provides the procedures and interventions that ERFC will take to reinforce our values and behaviours. It outlines how the club will act in the event of a breach of this Policy, thereby ensuring our commitment is lived, not just recorded.

This Policy is an essential part of our club's proactive and preventative approach to tackling inappropriate behaviour. As President, I fully endorse this Policy and am personally committed to ensuring that everyone associated with ERFC complies with it.

Ivan Dalla Costa
Club President
Eltham Redbacks Football Club

PART A: MEMBER PROTECTION POLICY

1. Introduction

Eltham Redbacks Football Club's vision is to become the leading sporting club in our surrounding community, providing healthy sport programs that are inclusive of all skill levels in an enjoyable manner. To this end, the club has endorsed this Member Protection Policy with the aim to establish a safe, inclusive and enjoyable football environment for all our members.

2. Purpose of this policy

This Member Protection Policy ("policy") aims to assist Eltham Redbacks Football Club ("ERFC", "our", "us" or "we") in the creation of a safe, inclusive and enjoyable football environment for all ERFC members. The policy relates to areas such as:

- outlining specific processes for the protection of children;
- taking images of members and the use of those images;
- protecting members from discrimination, harassment, abuse, bullying and other forms of inappropriate behaviour;
- establishing safe work practices for our members in accordance with the Occupational Health and Safety Act 2004;
- outlining healthy and safe food and drink consumption, including drinking alcohol and smoking;
- establishing a social media protocol; and
- actions taken by ERFC in the event of a breach of this policy.

Attached to this policy are the specific documents shared with members on our website which inform members of our guidelines and processes and support its implementation.

This policy has been endorsed by Eltham Redbacks Football Club Board of Directors ('committee'). The policy starts from its adoption by the committee on Wednesday the 16th of January 2019 and will operate until replaced.

This policy is supported by other relevant documents, including the Statutes and Regulations, Codes of Conduct and Rules of Competition, published by governing bodies Football Victoria and Football Australia and any legal requirements of the State of Victoria and the Commonwealth of Australia.

3 Who is bound by this policy

This policy applies to all ERFC members as defined by the Eltham Redbacks Football Club Constitution 2014. To avoid doubt, this includes, but is not limited to:

- 3.1 persons appointed or elected to the committee, either as an Executive or General committee members, or sub-committees thereof;
- 3.2 employees;
- 3.3 coaches and assistant coaches;
- 3.4 support personnel, including administrative assistants, team managers, physiotherapists, sport trainers and others;
- 3.5 players;
- 3.6 referees and other officials appointed by ERFC;
- 3.7 members, including ERFC life members; and
- 3.8 parents and legal guardians of junior members (under the age of 18).

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

4. Organisational responsibilities

Following the adoption of this policy, ERFC must:

- 4.1 actively 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 especially to all people to whom this policy applies;

- 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 and timely manner;
- 4.6 deal with any breaches of this policy in an appropriate and timely manner;
- 4.7 recognise and enforce any penalty imposed under this policy;
- 4.8 use appropriately trained people to receive and manage complaints and allegations of inappropriate behavior; and
- 4.9 monitor and review this policy at least every five years.

5. Individual responsibilities

Individuals bound by this policy must:

- 5.1 comply with the relevant provisions of the policy, including the attached documents;
- 5.2 consent to the volunteer/employee screening requirements set out in this policy;
- 5.3 act with the safety and wellbeing of members, especially children, in mind above all else;
- 5.4 be accountable for their behaviour: and,
- 5.5 comply with any decisions and/or disciplinary measures imposed under this policy.

6. Policy statements

6.1 Child protection

ERFC is committed to the safety and well-being of all children and young people who participate in our club or access our services. We support and will uphold the rights of the child at all times and act to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our employees, contractors and members and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

6.1.1 Identify, analyse, control and manage risk of harm

ERFC recognises that there is a myriad of interactions between adults and children that occur during the normal activities of our club. To help create and maintain a safe, inclusive and enjoyable experience for our children, *ERFC* has identified and analysed the risk of harm to children (see Assessment of the Risk of Harm to Children in Part B of the Members Protection Policy).

In response to the identification and analysis of the risk of harm to children, the club has in place a range of controls to minimise, with the aim of eliminating, instances of actual harm to children.

These controls include, but may not be limited to:

- Meeting with candidates for paid and volunteer roles within the club prior to appointment;
- Member declarations (see Members Protection Declaration in Part C of the Members Protection Policy) by appointed paid and volunteer workers;
- Undertaking training courses where appropriate for paid and volunteer workers; and
- Appointment of Member's Protection Information Officers.

ERFC is committed to the ongoing identification, analysis and control of the risk of harm to children and will continue to update these guidelines within the five-year cycle of review of this policy.

6.1.2 Develop Codes of Conduct

ERFC has developed and will promote Codes of Conduct for all members that sets out the behaviours we expect of them. Codes of Conduct aimed at adults will explicitly promote appropriate conduct towards children.

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

6.1.3 Choose suitable employees and volunteers

ERFC commits to taking 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.

We will ensure that Working with Children Checks ('WWC Checks') are conducted for all employees and volunteers who work with children, regardless of whether an assessment is required by law.

Any information collected or received in this process will be handled 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

ERFC 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.

The committee will, from time to time, set relevant courses for our employees and volunteers to attend.

6.1.5: Empower and promote the participation of children

ERFC will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport. Our goal is for our children and young members to develop a voice in the running of the club and to enhance the footballing environment with them.

The committee will, from time to time, establish structures and sub-committees involving children and young people, with the express purpose of receiving feedback about how the club is being run for them and to involve them in age appropriate decision-making processes.

6.1.6: Report and respond appropriately to suspected abuse and neglect

ERFC 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 Victorian law 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 members

From time to time, ERFC will internally and externally promote and celebrate the activities of our club and members. In many instances, this will involve the taking and sharing of images of our members. These photos will be taken and used in accordance with the waivers signed by members during the *Play Football* registration process (waivers).

The ERFC committee will at times nominate individual members to act on behalf of the committee and take photos for club purposes.

Notwithstanding waivers, ERFC will upon request from a member, cease using and make every reasonable attempt at removing in a timely manner any images of that member.

6.2.1 Taking images of children

There is a risk that images of children may be used inappropriately or illegally. ERFC outlines that members, wherever possible, obtain permission from a child's parent or legal guardian before taking an image of a child that is not their own. They should also make sure the parent or legal 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.

The ERFC committee will at times nominate individual members to act on behalf of the committee and take photos for club purposes. These photos will be taken and used in accordance with waivers accepted by parents and legal guardians during the *Play Football* registration process.

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 or legal guardian. Beyond football, we will not provide information about a child's hobbies, interests, school or the like, as this can be used by individuals to find and/or "groom" a child. We will only use images of children that are relevant to our activities and we will ensure that they are suitably clothed in a manner that promotes participation in our activities.

Notwithstanding waivers, ERFC will upon request from a parent or legal guardian, cease using and make every reasonable attempt at removing in a timely manner any images of a child of that parent or legal guardian.

6.3 Anti-discrimination and harassment

ERFC 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 Victorian anti-discrimination legislation.

The personal characteristics protected by anti-discrimination legislation include, but are not limited to, attributes such as race, age, disability, gender and race.

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 Victorian 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 personal characteristics.

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 Bullying

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

Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

The following types of behaviour, whether one-off, repeated or occurring as part of a pattern of behaviour, may be considered bullying:

- physical abuse including non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking, giving a person alcohol or drugs or training that overwhelmingly exceeds the child's ability, development or maturity;
- 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. ERFC will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, opponent, 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 club secretary.

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.)

9.3. 6.5 Occupational health and safety

9.4.

9.5. ERFC recognises its responsibilities to prevent work-related injury and illness to members, volunteers and employees and is committed to providing safe places of work. We will foster positive culture where safety is considered to be a core value, safe behaviour is encouraged and respected and continual improvement is considered to be part of normal practice.

9.6.

9.7. This commitment shall be fulfilled by ensuring members, volunteers and employees are:

- Informed of and understand their responsibilities to health and safety.
- Trained to conduct their work safely through the provision of appropriate training programs.

Furthermore, this commitment shall be fulfilled by ensuring the club:

- Understands our risk profile and seeks to eliminate and reduce our health and safety risks through effective hazard and risk management processes.

- Provide supportive recovery and injury management programs.
- Investigates incidents and implements corrective actions to prevent or reduce the likelihood of subsequent injury and illness.
- Complies with the requirements of the Victorian Governments Occupational Health and Safety Act (2004) and other relevant requirements.

6.6 Healthy food and drink service

ERFC understands we have a responsibility to ensure the food and drink we provide and sell includes healthy options. As defined by Good Sports, healthy options 'have significant nutritional value and contain limited saturated fat, salt and/or sugar'.

To this end, ERFC will endeavour to meet the following requirements:

- At least 25% of food and drink options available are healthy;
- Actively work to reach a menu that features no more than 50% unhealthy ('has limited nutritional value and contains high amounts of either saturated fat, salt and/or sugar') food and drinks;
- Only unsaturated oils, fats and spreads are used;
- Healthy foods are displayed prominently;
- Encourage Team Managers to provide only healthy food and drink to junior teams (e.g. half-time snacks).
- Promote water as the drink of choice;
- Encourage players to drink water before, during and after games and training; and
- Encourage players to bring their own water bottle to training and games.

6.7 Responsible service and consumption of alcohol and safe transport

ERFC acknowledges the rights of members to the safe and enjoyable consumption of alcohol at events where the club chooses to serve it. The club also acknowledges its responsibility to ensure the safety of those who consume alcohol purchased at events we hold or endorse.

ERFC is thereby committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. In general, our policy is that:

- all licencing conditions and Responsible Service of Alcohol guidelines are followed;
- food and low-alcohol and non-alcoholic drinks are available at events we hold where alcohol is served;
- all excessive or rapid consumption of alcohol is discouraged;
- consumption of alcohol by members and guests under the age of 18 (including those who cannot verify their age by acceptable proof of age identification) is prohibited;
- provision of alcohol to members and guests under the age of 18 (including those who cannot verify their age by acceptable proof of age identification) by any other member or guest is prohibited;
- a committee member or paid staff member is present at all events we hold or endorse that serves alcohol;
- staff members who serve alcohol are appropriately qualified with Responsible Service of Alcohol certificates;
- alcohol is served only to those who are 18 years of age or older, as demonstrated by acceptable proof of age identification, and who are not intoxicated;
- safe transport options are promoted via signage and announcements by the Master of Ceremonies (when events have one) as part of any event we hold or endorse where alcohol is served;
- when a safe transport option is required or requested, members and guests are provided with reasonable free-of-charge methods for contacting their chosen option, such as phone calls, text messages or online booking services;
- the club will monitor and ensure any club trips, particularly end of season player trips, strictly adhere to responsible behaviour and responsible alcohol consumption in accordance with the principles of this policy and the values of our club; and
- the club will avoid providing awards and fundraising prizes that have an emphasis on alcohol.

6.8 Smoke-free environment

ERFC is committed to providing a safe and healthy environment at all sporting and social events that we hold. In general, our policy is that:

- no smoking shall occur on or within 10m of any playing fields during junior or senior competition or training. This policy shall apply to coaches, players, trainers, officials, volunteers and spectators;
- 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.

In creating this policy, the club refers to the relevant Victorian anti-smoking legislation and Football Victoria Rules of Competition.

6.9 Social media

ERFC acknowledges the enormous value of social media to promote our activities and celebrate the achievements and success of our club members.

Social media refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes, but is not limited to, platforms such as Facebook and Twitter.

We expect all people bound by this policy to conduct themselves appropriately when using social media sites to share information related to our sport. In particular, social media activity:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, harassing, embarrassing, intimidating, sexually explicit, bullying, inciteful, 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 club in a positive way.

6.10 Sun Smart, Heat and Extreme Weather Policy

ERFC is committed to providing a safe and healthy environment at all times and particularly when our members are taking the pitch or are working outdoors.

Sun Smart

Recognising that UV exposure has a significant impact on our members, it is our policy is that the club will provide sun protection measures each day during times indicated by the Bureau of Meteorology (see: <http://www.bom.gov.au/places/vic/melbourne/forecast/>). Sun protection measures include:

- the provision of uniform that is made from UPF 50+ material;
- supply of SPF30 sunscreen from an easily accessible point; and
- access to shade areas such as gazebos and protected technical areas.

Heat

ERFC's heat policy aligns with Football Victoria's heat policy. Specifically:

- FFV and/or the appointed Referee may postpone, delay or abandon any fixture due to extreme weather conditions including, but not limited to, excessive heat or humidity, or poor weather that may endanger participants. In such circumstances, the Referee must set out his or her reasons in writing to FFV within 48 hours of the decision to postpone, delay or abandon the fixture.
- If the temperature is 32°C WBT (<http://www.bom.gov.au/products/IDV65079.shtml>) or above, water bottles should be made available and placed along the sidelines by team officials to enable any player to take a drink during the course of the game. In such circumstances, the match referee may at his or her discretion, also allow a two (2) minute break for players during the course of each half.
- NOTE: In the event that water bottles are made available along the sidelines, players should not leave the field of play to take the drink bottles nor should bottles be thrown on or off the field of

play. No time will be added for additional breaks taken and breaks will be taken at a suitable break in play, as determined by the referee.

Extreme Weather

During a hailstorm, all play and training will be suspended so that players and officials can seek suitable shelter. Referees should suspend play, noting where the ball was for future restart (drop ball). It is important to also be aware of any significant temperature drop, rain fall and increased wind that may be associated with the hail conditions.

Play should be restarted after the hail has stopped falling, with particular attention being given to the amount of ice on the playing surface (size & thickness of layer). In some cases it may be unsafe to resume play immediately due to an ice-covered surface. Deferral of the restart for 15 minutes to allow melting (or manual clearing in parts) should be considered in extreme circumstances. Line markings may also need to be checked.

During an electrical storm, lightning poses a threat. If an electrical storm is a possibility (for example storms have been forecast or darkened skies have been observed) members, club officials and referees should be alert to the sound of thunder.

If thunder is heard, the '30 second rule' (i.e. the time between lightning flash and the thunder sound is less than 30 seconds) should be applied. Play, training and outdoor activity must immediately stop and shelter must be sought. Sturdy buildings are the safest place to be during lightning storms. Staying in a car with windows closed also offers some protection. Avoid sheds, picnic shelters, metal coaching boxes & goal posts.

Play, training and outdoor activity must not resume until 30 minutes after the last observation of thunder.

NOTE: Thunder is not usually heard 24-32 kilometres from the lightning strike.

Games involving Under 11s and below

Team Managers and Coaches can make a mutual determination to cancel a fixtured game if the pitch is deemed unplayable or the weather conditions are unsafe. More than one hour's notice for all participants is required. If insufficient time to contact all participants is available then the Team Managers and Coaches can make a mutual decision to call the game off once all players are present and can be notified accordingly.

These cancelled games are not to be re-fixtured.

Games involving Under 12 and Above

If the appointed referee determines that the weather conditions and/or the pitch is unsafe, they will cancel the game. Any decision to cancel a game is at the sole discretion of the appointed referee.

Players will be notified as early as possible, noting that it is difficult to provide more than one hour's notice.

These fixtures will be rescheduled by Football Victoria.

7. Complaints procedures

7.1 Handling complaints

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

All complaints will be dealt with seriously, sensitively, confidentially and in a timely manner. Our procedures for handling and resolving complaints are outlined in here and in Attachment [D1].

Any person (a complainant) may report a complaint about a person/people bound by this policy or the club itself (respondent) if they feel they are the victim of any breach of this or any other club policy.

In the first instance, complaints of a minor nature should be reported to the appointed team manager from the complainant's team ('team manager'). From time to time, the club will appoint team managers for specific teams and these team managers will make themselves known to the members in that team by email.

Insomuch that no Victorian or Commonwealth laws are being breached, a complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the team manager should handle their complaint with this preference in mind.

Should the complaint breach Victoria or Commonwealth laws, the committee will be promptly notified and the appropriate authorities will be promptly contacted. Should the complaint be of a serious nature warranting escalation, the team manager will contact the committee member appointed to coordinate the complainant's age group ('coordinator'). From time to time, the committee will appoint coordinators for specific age groups and these coordinators will be published on the club's website.

In the second instance, or if the complaint is of a more significant nature, complaints should be reported to the coordinator. The coordinator may handle the complaint directly or appoint another member of the committee to handle the complaint. The person handling the complaint will not be the same person who has handled the complaint previously.

In the third instance, or if the complaint is of a very serious nature, complaints should be reported to the secretary who will take the complaint directly to the committee or executive. The committee or executive will appoint a sub-committee comprised of committee members and at least one member of the executive to handle the complaint. Anyone involved in the handling of the complaint will not have been involved in previously handling the complaint. From time to time, the progress or outcome of a complaint of this nature will be reported to the committee via email or at a committee and a report of the progress or outcome must be included in the minutes of the next committee meeting.

Members may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation. Escalation to an external agency will not preclude the complainant from also having the complaint handled by the club.

The findings of the sub-committee may be referred to the committee at the next committee meeting for a formal vote. Notwithstanding further legal advice or rulings by external organisations, the findings of the committee at this stage are final.

7.2 Improper complaints and victimisation

ERFC 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 committee member handling the complaint 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 secretary for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

ERFC aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the complainant and respondent 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 coordinator/secretary/member of the executive will, in consultation with the complainant, arrange for an independent mediator where possible. The mediation process will be run by appointed by the committee.

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

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 breaching the policy statements listed in this document (see Part A, section 6);
- 8.2 breaching any other policy statements adopted by the club from time to time;
- 8.3 breaching the complaint handling procedures (see Part A, section 7);
- 8.4 breaching the codes of behaviour (see Part B of this policy);
- 8.5 bringing the club into disrepute, or acting in a manner likely to bring the club into disrepute;
- 8.6 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- 8.7 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary measures

ERFC may impose disciplinary measures on any member(s) for a breach of this policy. Any disciplinary measure imposed will be:

- fair and reasonable;
- applied consistently with any contractual and employment rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with our constituent documents and documents consistent with our sport's governing bodies.

9.1 Individual

Subject to contractual and employment requirements, if a finding is made following a complaint handling process that an individual has breached this policy or any policy, one or more of the following forms of discipline may be imposed.

- a direction that the individual make a verbal and/or written apology;
- a written warning;
- a direction that the individual attend counselling to address their behaviour;
- a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club or any affiliated sporting bodies;
- a demotion;
- a suspension of the individual's membership or participation or engagement in a role or activity;
- termination of the individual's membership, appointment or engagement;
- a recommendation to an affiliated body to terminate the individual's membership, appointment or engagement with that body; and
- any other form of discipline that the committee considers appropriate.

9.2 Factors to consider

The form of discipline to be imposed on a member will depend on factors, such as:

- the nature and seriousness of the breach;
- if the member knew, or should have known, that the behaviour was a breach of the policy;
- the member's level of contrition;

- the effect of the proposed disciplinary measures on the member, including any personal, professional or financial consequences;
- if there have been any relevant prior warnings or disciplinary action;
- the ability of the club to enforce disciplinary measures; and
- any other mitigating circumstances.

PART B: ASSESSMENTS OF RISK OF HARM TO CHILDREN AND CODES OF BEHAVIOUR

B1. Assessments of Risk of Harm to Children

As part of our Child Protection Strategy, Eltham Redbacks Football Club has undertaken a child risk management assessment in order to analyse the risk of 'harm' to children.

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
Describe the activity	Identify Risks	Analyse the Risk	Evaluate the Risk	Manage the Risk	Review
Working alone with a child, especially in an enclosed space or a vehicle	Inappropriate interactions placing the child at risk of abuse or the risk of a malicious complaint against the adult	Unlikely	Major	Add to codes of conduct: avoid being alone with a child, especially in an enclosed space or vehicle	By the policy sub-committee within the five-year review cycle
Being in a changeroom while children are changing	Inappropriate interactions placing the child at risk of abuse or the risk of a malicious complaint against the adult	Unlikely	Major	Add to codes of conduct: leave changing rooms while a child or children change, particularly in situations where that child is likely to feel uncomfortable	By the policy sub-committee within the five-year review cycle
Making contact with children	Inappropriate contact with a child or the risk of a malicious complaint against the adult	Unlikely	Major	Add to codes of conduct: minimise physical contact with children and, should physical contact be necessary, ensure it is appropriate and occurs with others present	By the policy sub-committee within the five-year review cycle
Using foul, insulting and inappropriate language with or in the presence of a child	Exposure of a child to language that is likely to make them uncomfortable	Unlikely	Moderate	Add to codes of conduct: avoid all use of foul, insulting and inappropriate language with or in the presence of a child	By the policy sub-committee within the five-year review cycle

Communicating with a child via phone, text, email or any form of media	Exposure of a child to inappropriate language, images or content, or grooming with the intent to abuse a child or the risk of a malicious complaint against the adult	Rare	Major	Add to codes of conduct: avoid communicating with a child via a carriage service without including the parents and legal guardians of that child in the conversation	By the policy sub-committee within the five-year review cycle
Attending a football-related incursion, excursion or overnight camp with a child	Inappropriate interactions placing the child at risk of abuse or the risk of a malicious complaint against the adult	Rare	Major	Add to codes of conduct: work with the committee, or a nominated sub-committee thereof, to prepare for any football-related incursions, excursions or overnight camps	By the policy sub-committee within the five-year review cycle

B2. Player Code of Conduct

ERFC recognises the right of each member to experience a safe, inclusive and enjoyable football environment. To that end, the club expects certain standards of behaviour from all members in order to build this environment. The standards are underpinned by the following core values:

- To act within the rules and spirit of football;
- To display respect and courtesy towards everyone involved in football and prevent discrimination and harassment;
- To prioritise the safety and well-being of children involved in football; and
- To encourage and support opportunities for participation in all aspects of football.

We have adopted this Player Code of Conduct, based on codes of conduct adopted by Football Australia and Football Victoria, to assist playing members ('players') to contribute to such an environment.

Eltham Redbacks Football Club

Player Code of Conduct

- Give your best at all times;
- Participate for your own enjoyment and benefit;
- Play by the game according to FIFA's *Laws of the Game* and Football Victoria's Rules of Competition;
- Avoid arguments with Match Official(s). If you disagree with the decision of a Match Official, have your captain or coach respectfully approach the Match Official during a break in play or after the match has concluded;
- Remain in control of your emotions. The verbal abuse or provocation of an official or another player is not acceptable or permitted;
- Be a good sport and be prepared to acknowledge good play whether it is from your team or the opposition;
- Treat all players in the way that you would like to be treated. Do not interfere with, act disrespectfully or take undue advantage of another player;
- Cooperate with coaches, teammates, opponents and club officials. Without them, there would be no competition;
- Conduct yourself in a manner that maintains the good standing and reputation of the Eltham Redbacks Football Club and football in general, both in your actions as an ERFC member and beyond;
- Wear the required protective equipment and remove all jewellery prior to taking the field. Not doing so is a hazard to you and those around you; and

- Do not use any banned or unauthorised substances and report those who do to club officials.

B3. Parent Code of Conduct

ERFC recognises the right of each member to experience a safe, inclusive and enjoyable football environment. To that end, the club expects certain standards of behaviour from all members in order to build this environment. The standards are underpinned by the following core values:

- To act within the rules and spirit of football;
- To display respect and courtesy towards everyone involved in football and prevent discrimination and harassment;
- To prioritise the safety and well-being of children involved in football; and
- To encourage and support opportunities for participation in all aspects of football.

We have adopted this Parent Code of Conduct, based on codes of conduct adopted by Football Australia and Football Victoria, to assist parent members with registered children under the age of 18 ('parents') to contribute to such an environment.

Eltham Redbacks Football Club

Parent Code of Conduct

- Allow your child to participate for their own enjoyment and benefit, not yours;
- Focus on, celebrate and provide constructive feedback to your child based on their effort and development, not the outcome of the match;
- Model good sportsmanship and be prepared to acknowledge good play whether it is from your team or the opposition;
- Encourage your child to always participate according to the rules;
- Respect and support the decisions made by Match Official(s), coaches, club officials and administrators;
- Remain in control of your emotions. The verbal abuse or provocation of any player, match official, club official or administrator is not acceptable or permitted;
- Abide by all ERFC Policies and Procedures;
- Report breaches of the Codes of Conduct to club officials and administrators;
- Raise any issues through the appropriate channels using the Club Grievances and Complaints Procedures;
- Limit alcohol consumption and avoiding drinking near the technical areas and sidelines;
- Ensure smoking takes place more than 10m away from playing fields during training and matches;
- Conduct yourself in a manner that maintains the good standing and reputation of the Eltham Redbacks Football Club and football in general, both in your actions as an ERFC member and beyond; and
- Set high standards of behaviour for your child, instructing them to follow Codes of Conduct that relate to them.

B4. Coach Code of Conduct

ERFC recognises the right of each member to experience a safe, inclusive and enjoyable football environment. To that end, the club expects certain standards of behaviour from all members in order to build this environment. The standards are underpinned by the following core values:

- To act within the rules and spirit of football;
- To display respect and courtesy towards everyone involved in football and prevent discrimination and harassment;
- To prioritise the safety and well-being of children involved in football; and
- To encourage and support opportunities for participation in all aspects of football.

We have adopted this Coach Code of Conduct, based on codes of conduct adopted by Football Australia and Football Victoria, to assist coaching members ('coaches') to contribute to such an environment.

Eltham Redbacks Football Club

Coach Code of Conduct

- Emphasise participation in our game on the basis of enjoyment and growth, not on the outcome of a match;
- Encourage participation in our game by making it attractive, safe and enjoyable for all to play;

- Be reasonable in your demands on your players' time, energy and enthusiasm.
- Seek and follow advice from medical professionals, especially when players are injured;
- Modify your approach to suit the skill level and needs of the players;
- Make the most of your players' time by arriving prepared and with relevant equipment;
- Work within the football curriculum as planned by ERFC's Football Department;
- Focus on, celebrate and provide constructive feedback to your players based on their effort and development;
- Model good sportsmanship and be prepared to acknowledge good play whether it is from your team or the opposition;
- Encourage your players to always participate according to FIFA's *Laws of the Game* and Football Victoria's Rules of Competition;
- Respect and support the decisions made by Match Official(s), club officials and administrators;
- Remain in control of your emotions. The verbal abuse or provocation of any player, match official, club official or administrator is not acceptable or permitted;
- Report breaches of the Codes of Conduct to club officials and administrators;
- Raise any issues through the appropriate channels using the Club Grievances and Complaints Procedures;
- Avoid consuming alcohol or smoking while performing club duties;
- Conduct yourself in a manner that maintains the good standing and reputation of the Eltham Redbacks Football Club and football in general, both in your actions as an ERFC member and beyond; and
- Set high standards of behaviour for your players, instructing them to follow Codes of Conduct that relate to them.

B5. Spectator Code of Conduct

ERFC recognises the right of each member to experience a safe, inclusive and enjoyable football environment. To that end, the club expects certain standards of behaviour from all members in order to build this environment. The standards are underpinned by the following core values:

- To act within the rules and spirit of football;
- To display respect and courtesy towards everyone involved in football and prevent discrimination and harassment;
- To prioritise the safety and well-being of children involved in football; and
- To encourage and support opportunities for participation in all aspects of football.

We have adopted this Spectator Code of Conduct, based on codes of conduct adopted by Football Australia and Football Victoria, to assist spectator members ('spectators') to contribute to such an environment.

Eltham Redbacks Football Club Spectator Code of Conduct

- Acknowledge good play whether it is from your team or the opposition;
- Respect and support the decisions made by Match Official(s), coaches, club officials and administrators;
- Encourage players to always participate according to FIFA's *Laws of the Game* and Football Victoria's Rules of Competition;
- Remain in control of your emotions. The verbal or physical abuse or provocation of any player, match official, club official or administrator is not acceptable or permitted;
- Abide by the club's policies and procedures;
- Report breaches of the Codes of Conduct to club officials and administrators;
- Raise any issues through the appropriate channels using the Club Grievances and Complaints Procedures;
- Limit alcohol consumption and avoiding drinking near the technical areas and sidelines;
- Ensure smoking takes place more than 10m away from playing fields during training and matches; and
- Conduct yourself in a manner that maintains the good standing and reputation of the Eltham Redbacks Football Club and football in general, both in your actions as an ERFC member and beyond.

B6. Committee Member Code of Conduct

ERFC recognises the right of each member to experience a safe, inclusive and enjoyable football environment. To that end, the club expects certain standards of behaviour from all members in order to build this environment. The standards are underpinned by the following core values:

- To act within the rules and spirit of football;
- To display respect and courtesy towards everyone involved in football and prevent discrimination and harassment;
- To prioritise the safety and well-being of children involved in football; and
- To encourage and support opportunities for participation in all aspects of football.

We have adopted this Committee Member Code of Conduct, based on codes of conduct adopted by Football Australia and Football Victoria, to assist committee members to contribute to such an environment.

Eltham Redbacks Football Club Committee Member Code of Conduct

- Devote time and attention as appropriate to your appointed club roles and duties;
- Act in good faith to uphold the interests of the club and its members;
- Conduct yourself in a manner that maintains the good standing and reputation of the Eltham Redbacks Football Club and football in general, both in your actions as an ERFC member and beyond.
- Report any breaches of the Codes of Conduct to club officials and administrators;
- Act on and respond to any breaches of the Codes of Conduct reported to you;
- Raise any issues through the appropriate channels using the Club Grievances and Complaints Procedures;
- Act on and respond to any issues through the appropriate channels using the Club Grievances and Complaints Procedures;
- Limit alcohol consumption and avoiding drinking near the technical areas and sidelines;
- Ensure smoking takes place more than 10m away from playing fields during training and matches;
- Comply with and conform to the Club's Constitution, policies and procedures;
- Comply with and conform to the applicable State and Federal laws;
- Comply with and conform to Football Australia's and Football Victoria's rules, regulations, bylaws and Codes of Conduct;
- Treat confidential information with the respect it is due;
- Avoid pledging the credit of the club or exposing it to any pecuniary liability without authorisation from the committee; and
- Inform the club Secretary in the event you have been declared bankrupt or convicted of a criminal offence.

B7. Team Manager Code of Conduct

ERFC recognises the right of each member to experience a safe, inclusive and enjoyable football environment. To that end, the club expects certain standards of behaviour from all members in order to build this environment. The standards are underpinned by the following core values:

- To act within the rules and spirit of football;
- To display respect and courtesy towards everyone involved in football and prevent discrimination and harassment;
- To prioritise the safety and well-being of children involved in football; and
- To encourage and support opportunities for participation in all aspects of football.

We have adopted this Team Manager Code of Conduct, based on codes of conduct adopted by Football Australia and Football Victoria, to assist team managers to contribute to such an environment.

Eltham Redbacks Football Club Team Manager Code of Conduct

- Devote time and attention as appropriate to your appointed club roles and duties;
- Act in good faith to uphold the interests of the club and its members;
- Conduct yourself in a manner that maintains the good standing and reputation of the Eltham Redbacks Football Club and football in general, both in your actions as an ERFC member and beyond;
- Report any breaches of the Codes of Conduct to club officials and administrators;

- Raise any issues through the appropriate channels using the Club Grievances and Complaints Procedures;
- Be the team manager and not the coach
- Limit alcohol consumption and avoiding drinking near the technical areas and sidelines;
- During training and matches involving your team(s), ensure smoking takes place more than 10m away from playing fields;
- Comply with and conform to the Club's Constitution, policies and procedures;
- Comply with and conform to the applicable State and Federal laws;
- Comply with and conform to Football Australia's and Football Victoria's rules, regulations, bylaws and Codes of Conduct; and
- Treat confidential information with the respect it is due.

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

ERFC is 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.

ERFC will meet the requirements of the Victorian Government's 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.

ATTACHMENTS

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

Attachment C1:

MEMBER PROTECTION DECLARATION

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

I (name) of

..... (address) 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, offences related to acts of violence or offences related to 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 narcotics.
4. I am not currently serving a sanction for an anti-doping rule violation imposed by the World Anti-Doping Agency (WADA) or the Australian Sports Anti-Doping Authority (ASADA).
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency (WADA) Code or any Australian Sports Anti-Doping Authority (ASADA) anti-doping policy.
6. To my knowledge, there is no other matter that ERFC may consider to constitute a risk to its members, employees, volunteers, players or reputation by engaging me.
7. I will notify the club secretary immediately upon becoming aware that any matter set out above has changed.

Declared on/...../.....(date)

Signature

Consent of parent/guardian (on behalf 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 C2: WORKING WITH CHILDREN CHECK 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 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.

Detailed information and the forms required to complete a Working with Children Check are available from the Victorian Department of Justice (www.workingwithchildren.vic.gov.au and 1300 653 879). For our members, a Working with Children Check generally incurs no cost.

Travelling to other states or territories

It is important to remember that when travelling to other states or territories, legislative requirements of that particular state or territory may be different to Victoria's. Employees, volunteers and members should check and ensure they comply with the requirements in that particular state or territory prior to beginning any travel.

PART D: COMPLAINT HANDLING PROCEDURES

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

We will provide individuals with an informal and formal process to resolve the matter based on the nature of the complaint and our rules and regulations.

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.

ATTACHMENTS

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure

Attachment D1: COMPLAINTS PROCEDURE

ERFC is committed to supporting people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

We will endeavour to deal with complaints on a confidential basis. We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

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

Note that serious or criminal incidents, such as assault or sexual assault, should be reported to the police.

Informal approaches

Step 1: If safe, reasonable and appropriate, talk with the other person

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

Step 2: Contact your Team Manager

We encourage you to talk with one of our Team Managers if:

- step 1 (above) is not appropriate;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially with someone and find out what options are available to address your concern; or
- the concern continues after you approached the other person.

The names and contact details for your Team Managers will be made available to you via at the beginning of the football season.

The Team Manager will:

- ask how you would like your concern to be resolved and if you need support;
- seek to provide different options for you to address your concern;
- act as a support person, if you wish;
- refer you to an appropriate person (e.g. a mediator) to help you address your concern, if appropriate;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality.

Step 3: Decide how to address your concern

After talking with your Team Manager, you may decide:

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

Formal approaches

Step 4: Making a formal complaint

If it is not possible or appropriate to resolve your complaint through an informal process, you may:

- make a formal complaint in writing to your age group Coordinator; or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you provide, the age group Coordinator will decide whether:

- he or she is the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint requires a formal resolution procedure;
- to refer the complaint to **mediation**;
- to **investigate**, or appoint another person to investigate the complaint;
- 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 is completed.

In dealing with your formal complaint, the age group Coordinator will take into account:

- whether he or she has had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding how the complaint should be handled;
- the relationship between you and the respondent (e.g. an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you might face further unacceptable behaviour while the complaint process is underway.

If the age group Coordinator is the appropriate person to handle the complaint, he or she will, where appropriate and/or necessary:

- provide the information received from you to the other person(s) involved and ask for a response;
- decide if there is enough information to determine whether the matter alleged in your complaint did or did not occur; and/or
- determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this policy.

Step 5: Escalate a formal complaint

If you are dissatisfied with the outcome of your formal complaint, or if it is not possible or appropriate to resolve your complaint via the age group Coordinator, you may:

- make a formal complaint in writing to the club secretary for consideration by the committee; or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you and the age group coordinator provide, the secretary will take the complaint to the committee or the executive who will decide how to proceed with the investigation of the complaint. They may refer the matter to the **police or other appropriate authority** and/or to implement any interim arrangements that will apply until the complaint process is completed.

In dealing with your formal complaint, the appointed committee members will take into account:

- who has had any personal involvement in the circumstances and who is best placed to handle the complaint;
- your wishes, and the wishes of the respondent, regarding how the complaint should be handled;
- the relationship between you and the respondent (e.g. an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you might face further unacceptable behaviour while the complaint process is underway.

Where appropriate and/or necessary, the committee members handling the complaint may:

- provide the information received from you to the other person(s) involved and ask for a response;

- decide if there is enough information to determine whether the matter alleged in your complaint did or did not occur; and/or
- determine what, if any, further action to take, including referring the matter for mediation or disciplinary action in accordance with this policy.

Step 6: Investigating the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in Attachment D3.

Following the investigation, where the complaint has been handled by the age group coordinator in the second instance, the age group coordinator shall provide electronic copies of all records taken to the secretary to store.

Following the investigation, where the complaint has been handled by appointed committee members in the third instance, a written report will be provided to committee at the next committee meeting and the appointed committee members shall provide electronic copies of all records taken to the secretary to store.

If the complaint is referred to **mediation**, we will follow the steps outlined in Attachment D2 or as agreed by you, the respondent, and the mediator.

If the complaint is referred to the **police or another external agency**, we will endeavour to provide all reasonable assistance required by the police or the agency.

Any costs incurred by ERFC related to the complaint process set out in this policy are to be met by the club and/or the complainant and/or the respondent, as decided by the committee.

Approaching external organisations

If you feel that you have been harassed or discriminated against, or should you wish to appeal the decision made by the committee, you can seek further advice from your legal representative, your state or territory anti-discrimination or the appropriate equal opportunity commission. There is no obligation to approach external organisations. However, if the organisation advises you that the issues appear to be within its jurisdiction or that the club has erred in its decision making, you may choose to lodge a formal complaint with the organisation.

If you do lodge a complaint with an external organisation, a committee member from our club will be available to support you during the process.

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website:

<http://www.playbytherules.net.au/resources/quick-reference-guide>.

Attachment D2: MEDIATION

Mediation is a process that seeks to resolve complaints with the assistance of an impartial person – the mediator.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to discuss the issues and seeks to facilitate a mutually agreeable solution.

Our approach to mediation follows the steps set out below.

1. The age group coordinator or appointed committee members will appoint an appropriate mediator to help resolve the complaint. This will be done after seeking advice from members of the committee and in consultation with the complainant and the respondent(s). The mediator will be an independent person in the context of the complaint, however this does not preclude a person with an association with any party acting as mediator.
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, where appropriate the mediator may seek to ensure the parties execute a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect and comply with the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may continue to follow the complaints procedure process and/or approach any relevant external agency, such as a legal representative, anti-discrimination organisation or equal opportunity body, to resolve the matter.

We recognise that there are some **situations where mediation may not be appropriate**, including when:

- an agreed version of events cannot be ascertained;
- the parties involved disagree on the severity or relevance of the complaint;
- one or both parties are unwilling to attempt mediation;
- there is a real or perceived power imbalance between the people involved; and
- matters that involve serious allegations.

Attachment D3: INVESTIGATION PROCESS

There will be times when a complaint will need to be investigated and information gathered.

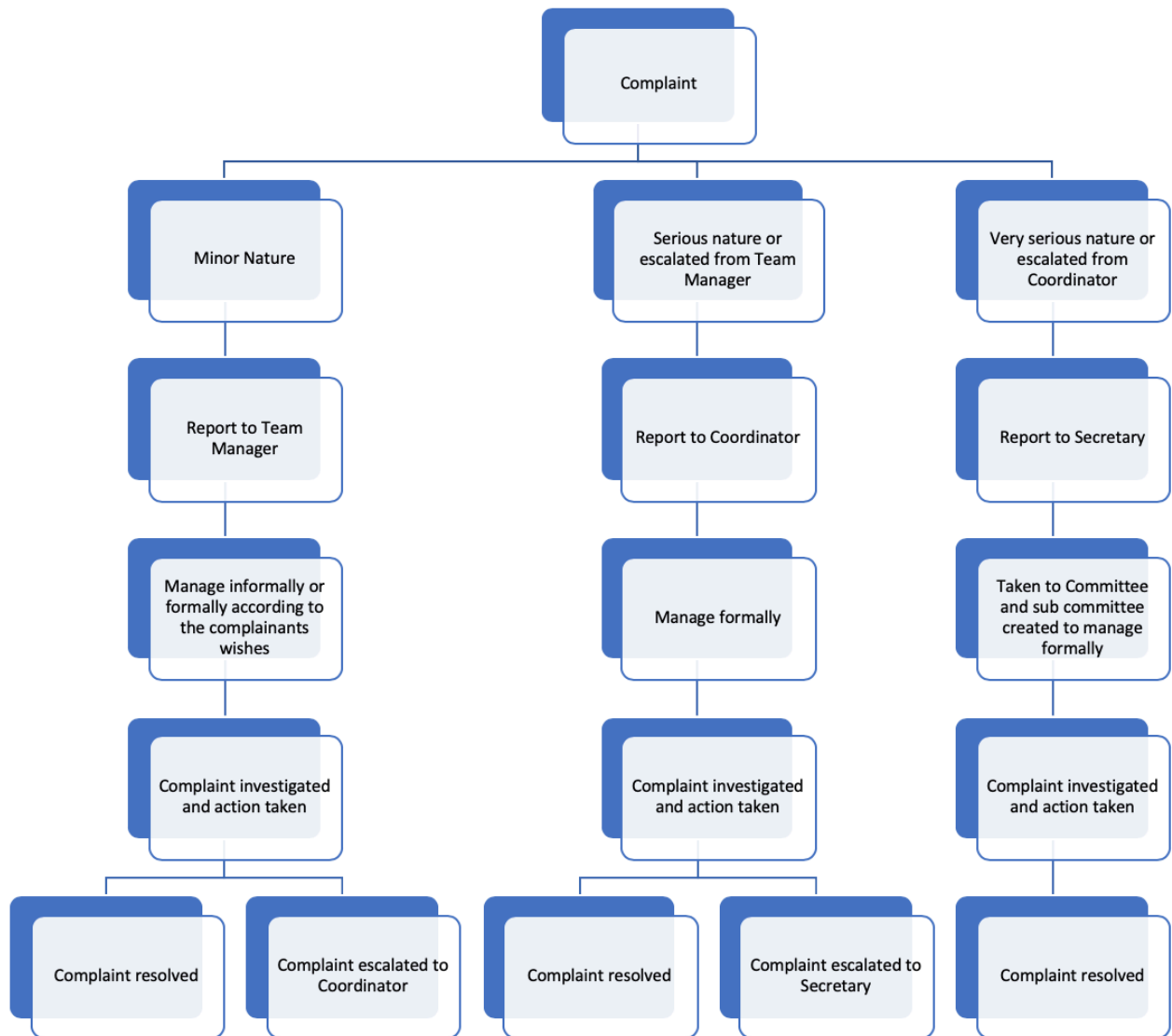
An investigation helps determine the facts relating to the incident, recommendations as to possible findings and next steps.

Any investigation we conduct will be fair to all people involved. The investigation process will be undertaken by person handling the complaint.

If we decide that a complaint should be investigated, we will follow the steps outlined below.

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.
2. The investigator may:
 - interview the complainant and record the interview in writing;
 - provide full details of the complaint to the respondent(s) so that they can respond
 - interview the respondent(s) to allow them to answer the complaint and record the interview in writing;
 - obtain statements from witnesses and collect other relevant evidence;
 - 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);
 - **mischievous, vexatious or knowingly untrue.**
 - provide a report documenting the complaint, the investigation process, the evidence, and, if requested, any findings and recommendations, to the secretary for record keeping.
3. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points from the investigation.
4. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser.

Complaints Procedure Flowchart



In addition to the above, ERFC wishes to advise:

The ERFC Complaint Procedure does not preclude individuals from seeking recourse for their complaints externally to the club.

ERFC will, at the first instance it is made aware, report any behaviour it believes may be unlawful to the relevant authority.

PART E: DOCUMENTS/FORMS

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

This information, and any additional records and notes, will be treated confidentially (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.

ATTACHMENTS

- Attachment E1: Record of formal complaint
- Attachment E2: Handling an allegation of child abuse
- Attachment E3: Confidential record of child abuse allegation

**Attachment E1:
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/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's role/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds) Tick more than one box if necessary	<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 mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: Date / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept confidential and secure.

Attachment E2: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

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

All people working for or associated with ERFC 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 Secretary so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

The Secretary, in consultation with the executive, 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 an employee of the club.

The Secretary, in consultation with the executive, will consider what services may be most appropriate to support the child and his or her parent/s.

The Secretary, in consultation with the executive, will consider what support services may be appropriate for the alleged offender.

The Secretary, in consultation with the executive, will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

At least 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 the club).

The club will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.

If disciplinary action is undertaken, we will follow the procedures set out in Part A, Section 9 of our Member Protection Policy.

Where required we will provide the relevant government agency with a report of any disciplinary action we take.

Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Family and Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police	Department of Communities, Child Safety and Disability Services

Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafes Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	
Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au	Department for Child Protection and Family Support www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258

**Attachment E3:
CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

Before completing, ensure the procedures outlined in attachment E2 have been followed and advice has been sought from the relevant government agency and/or police.

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

President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	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.

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. Further detail or definitions that are specific to different states and territories can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

Abuse is the violation of an individual's human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse and systemic abuse.

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

Child abuse involves conduct which puts a child at risk of harm and may include:

- **physical abuse**, which occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- **sexual abuse**, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual activity or 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**, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child.
- **neglect**, which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

Complaint means a complaint made under Part A Section 7 of this policy

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

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

- age
- sex or gender
- gender identity
- intersex status
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration
- disability, mental and physical impairment
- family/carer responsibilities, status as a parent or carer
- marital status
- pregnancy, potential pregnancy, breastfeeding
- sexual orientation and gender identity
- physical features
- irrelevant medical record
- irrelevant criminal record, spent convictions
- political beliefs or activities
- religion, religious beliefs or activities
- national extraction or social origin
- lawful sexual activity
- profession, trade, occupation or calling
- member of association or organisation of employees or employers, industrial activity, trade union activity

- defence service
- personal association with someone who has, or is assumed to have, any of the above characteristics

Examples of discrimination are available on the Play by the Rules website:

www.playbytherules.net.au/legal-stuff/discrimination

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

- holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

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

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

Sexual harassment means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual harassment does not have to be intentional.

Sexual offence means a criminal offence involving sexual activity or acts of indecency. Because of differences under state and territory laws, this can include but is not limited to:

- rape
- indecent assault
- sexual assault
- assault with intent to commit sexual acts
- incest
- sexual penetration of child under the age of 16 years
- indecent act with child under the age of 16 years
- sexual relationship with child under the age of 16 years
- 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 years
- bestiality
- soliciting a child under the age of 16 years to take part in an act of sexual penetration, or an indecent act
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles.

Victimisation means treating someone unfairly or unfavorably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination legislation) or under this policy, or for supporting another person to make complaint.

Vilification means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.